

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

<http://www.catc.ca.gov>

**September 24, 2003
Sacramento, California**

The meeting of the California Transportation Commission was called to order on September 24, 2003 at 2:01 p.m. at the State Office Building No. 9, Auditorium Room 102, 744 P Street, Sacramento, California.

GENERAL BUSINESS (#1-5)

1.

1. Roll Call

1.(1)

Roll call was conducted. The Commissioners attendance was as follows:

Members Present: Bob Balgenorth, Vice Chair (Acting Chair)
Jim Ghielmetti
Jeremiah Hallisey (arrived at 2:25 p.m.)
Allen Lawrence
Dianne McKenna
Joseph Tavaglione

Members Absent: Kirk Lindsey, Chair
Esteban Torres
Senator Kevin Murray, Ex-Officio
Assemblyman John Dutra, Ex-Officio

2. Approval of Minutes for August 14, 2003 Meeting

(1.(2)

The August 14, 2003 minutes were presented for approval. Commissioner McKenna moved to approve the minutes, Commissioner Tavaglione seconded the motion, which carried 5-0 (Commissioners Lindsey, Hallisey and Torres were absent).

3. Commission Reports

1.(3)

Heinz Heckerath, California Transportation Foundation, discussed the Tranny Awards and Education Symposium and asked for the Commission's participation. Commissioner McKenna participated in the November event in Asilomar and said that it was a wonderful experience.

4. Commissioners' Meetings for Compensation

1.(4)

Vice Chair Balgenorth presented the List of Commissioners' Meetings for Compensation for August 2003.

Commissioner McKenna moved to approve the List. Commissioner Tavaglione seconded the motion, which carried 5-0 (Commissioners Lindsey, Hallisey and Torres were absent).

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5. Outline for CTC's 2003 Annual Report to Legislature 4.6

Executive Director Diane Eidam reviewed the issues and convened a group to look at restructuring transportation finance for the annual report. The group met the week of August 11, 2003. Ms. Eidam reviewed the main topics of the report and requested that the Commission accept the outline as presented.

Commissioner McKenna asked to have the quotes removed from the outline for a better look to the report.

Commissioner Lawrence moved to approve the Outline. Commissioner Tavaglione seconded the motion, which carried 5-0 (Commissioners Lindsey, Hallisey and Torres were absent).

6. 2004 Fund Estimate, Overview, Assumptions, SHOPP Levels, Fund Est./STIP Schedules 4.5

Deputy Director David Brewer recommended approval of a revised 2004 STIP Development Calendar, provided as a handout. The calendar included Fund Estimate adoption on December 11, 2003, submittal of RTIPs and the ITIP on April 12, 2004, and adoption of the 2004 STIP on August 5, 2004.

RTPA Moderator Peter DeHaan said that there was a discussion regarding this item at the monthly RTPA group meeting and that the group is concerned that there may not be sufficient time for the MPO's at the end of the process for making federal air quality conformity findings and adopting FTIPs. Mr. Brewer responded that staff is aware of the issue and will work with regional agencies to minimize the problems. Commissioner McKenna moved to approve the 2004 STIP Development Calendar as presented by Mr. Brewer. Commissioner Ghielmetti seconded the motion, which carried 5-0 (Commissioners Lindsey, Hallisey and Torres were absent).

State Highway Account

SHA 1: Beginning Cash Balance:

Bob Sertich, Caltrans, reviewed the revenue flow from six major sources. Mr. Sertich reviewed the time frame of the FE, reviewed prior FE programming capacity in 1994 net decrease of \$33 million and in 1996 negative amount of \$574,000. Also reviewed was the FE methodology, FE assumptions, SHA revenue: fuel taxes, HUTA, motor vehicle weight fee; reimbursement from federal trust fund. Mr. Sertich reviewed the SHA beginning cash balance as of 6/30/03 at \$293 million. Commissioner Balgenorth asked for any comments on the SHA - 1.

During the Caltrans Monthly Finance Report discussion, the Commissioners expressed concerns over what the beginning cash balance represented. The number was inconsistent with the expectations and trends laid out in previous months. The Department was directed to work with CTC staff to determine the appropriate beginning balance for use in the fund estimate. Staff was asked to begin with the actual balance per the State Controller's Records as of June 30, 2003 and reconcile to the number as presented by the Department.

Commissioner McKenna moved to approve the SHA - 1 Update. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 2. Prudent Cash Balance:

Bob Sertich, Caltrans, reviewed the SHA - 2 Prudent Cash Balance. The Department recommended Option A, \$330 million for the FE period.

The Commission agreed to a reservation for a prudent SHA cash balance of \$330 million. Commissioner Lawrence moved to approve the SHA -2 Option A. Commissioner Ghielmetti seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

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SHA 3 - 5 & 7. State Revenues:

Bob Sertich, Caltrans, reviewed SHA 3-7; the calculation of fuel excise tax estimates, \$5 million on liquefied petroleum gas, SB 2054 weight fees (one time deposit in revenues SB 1055 proposes to correct by 20% increase), 3.4% growth weight fees, SMIF income 1.859%.

The Commission adopted these recommendations as proposed by the Department to grow state fuel excise tax revenues at 2.3 % annually, maintain revenue from alternative fuels at \$5 million each year, and use the SMIF interest rate of 1.859 %.

SHA 6. State Revenues: The Commission directed the Department to use the current year projected base for Weight Fees that assume the passage of SB 1055, and then grow weight fees 1% annually.

Commissioner McKenna moved to approve SHA 3, 4, 5 & 6, as modified by staff, and 7 as included by staff. Commissioner Ghielmetti seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 8 – 10. Transfers:

Bob Sertich, Caltrans, reviewed SHA 8-10; historic growth trends, transfer to PTA, motor vehicle account.

The Commission adopted the Department's recommendations to use historical trends to forecast rental and miscellaneous income, continue transfers for Planning to the PTA based on the assumptions made concerning State Operations and assume no transfer from MVA. The Commission also directed the Department to work with Commission staff to display the commitments to the Toll Bridge Seismic Retrofit program and transfers in from the Transportation Investment Fund so they are highlighted and easily distinguished in the Fund Estimate. (NOTE: Since the Commission can only assume what is in current law, no reductions should be assumed that predate an action on the part of the Legislature with regard to TIF.)

Commissioner McKenna moved to approve 8, 9 & 10. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 11 – 12. Loans:

Bob Sertich reviewed the assumptions for SHA 11-12, \$35 million loan to CHP, and \$477 million loaned to the TCRF pay back.

The Commission took action to direct the department to adjust their assumptions to include the estimated revenues from the rental car fees (AB 487) as the loan payback from TCRF to SHA with any remaining amount appearing in FY 2008/2009. These funds should also be displayed separately in the Fund Estimate.

Commissioner Tavaglione moved to approve SHA 11-12 with Option A, as modified. Commissioner Ghielmetti seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

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SHA 13 – 14. Federal Revenues:

Bob Sertich, Caltrans reviewed the assumptions regarding Federal Funding apportionments, obligational authority, advance construction, and existing federal programs.

The Commission adopted assumptions SHA 13 and 14 as recommended by the Department. These assumed an August redistribution of OA of \$25 million annually and no change to the existing structure of federal transportation programs.

Commissioner McKenna moved to approve SHA 13-14. Commissioner Ghielmetti seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 15. Federal Revenues:

Bob Sertich, Caltrans, reviewed federal revenues (SHA 15) and recommended Option B.

The Commission directed the Department to use for the purpose of preparing the draft fund estimate for October the mid-point between the House and Senate appropriations proposals and an escalation factor of 2% annually beginning in FY 2005/06. Because the issue of full taxation of ethanol has not been addressed, the Department was asked to assume that it would not be fixed during the fund estimate period and to factor in an appropriate reduction in federal revenues as a result (Department estimates this to be in the range of \$300 m to \$700 m a year). The Commission indicated its willingness to revisit this assumption in October based on any subsequent action taken by Congress.

Commissioner Ghielmetti moved to approve SHA 15 with staff recommendation. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 16. Reduction of Advanced Construction Balance:

Bob Sertich, Caltrans, reviewed federal revenues (SHA 16) and recommended Option A.

The level of obligation authority used to convert advanced construction authorizations should not have an impact on resources in the Fund Estimate if the resulting cash reimbursement from the conversion is being factored into the resources available. Based on assurances from the Department that the resources will be incorporated in the Fund Estimate, the Commission adopted the Department's recommendation to dedicate \$200 m of OA a year to convert Advanced Construction. The Department was further directed to ensure that this did not affect the amount of OA available for Local Assistance.

Commissioner McKenna moved to approve SHA 16. Commissioner Tavaglione seconded the motion, which carried 5-0 (Commissioners Lindsey, Torres and Ghielmetti were absent).

SHA 17. Display of Existing Capital Outlay Commitments:

Bob Sertich, Caltrans, reviewed SHA 17, 18, 19, 20 & 21, and recommended approval.

The Commission adopted the department's recommendation to display existing commitments as currently programmed for purposes of calculating the draft fund estimate.

SHA 18 – 19. Capital Project Escalation Rates:

Bob Sertich, Caltrans, reviewed SHA 17, 18, 19, 20 & 21, and recommended approval.

The Commission adopted the recommendation to use the CHCCI for capital projects and the DOF escalation rate for office buildings.

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SHA 20 – 21. State Operations:

The Commission rejected SHA 20 Reservation for Budget Change Proposals. Instead the Commission adopted an assumption to modify the existing base budget for State Operations to reflect all adjustments post-budget and then escalate the State Operations costs 2 percent annually for the life of the fund estimate.

Commissioner McKenna moved to approve SHA 17, 18, 19, 20, & 21 with staff recommendation on SHA 20.

Commissioner Tavaglione seconded the motion, which carried 5-0 (Commissioners Lindsey, Torres and Ghielmetti were absent).

SHA 22. SHOPP:

The Commission adopted the following annual cash levels for the SHOPP:

FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09
\$1,482 b	\$1,641 b	\$1,718 b	\$1,718 b	\$1,718 b

The Commission directed the Department to assign 85 percent of the annual funding to the four categories of Safety, Bridge Preservation, Roadway Preservation and Mobility, which is an increase of 5 % from what the Department proposed. The Department was directed to come back to the October meeting with a revised SHOPP funding allocation by categories with revised performance outcomes. These performance outcomes would then be used to review the Department's progress towards their achievement on an annual basis. The Commission may have to revisit this assumption in October based on the acceptability of the performance outcomes and funding levels in the Draft Fund Estimate.

SHA 23 – 24, 26 - 29. SHOPP:

The Commission adopted assumptions SHA 23, 24, 26, 28 and 29. those assumptions were:

- Minor safety projects are part of the forecast for the SHOPP.
- Actual programmed right of way costs will be used for FYs 2004-06. For the remaining years it will be assumed that right of way costs equal 3 percent of the SHOPP annual level.
- Capital Outlay Support will be based on workload.
- Annual amounts for stormwater will be shown.
- Award savings factors will be applied.

Assumption 27 was explicitly not adopted since the Commission is not familiar with the Department's Five Year Capital Outlay Plan. Instead this was addressed through the action taken on Assumption 22.

SHA 25. SHOPP:

AB 1171 specified not less than \$642 million from the state's share of the federal Highway Bridge Replacement and Rehabilitation Program would be used for Toll Bridge Seismic Retrofit projects. AB 1171 also stated that if the projects costs exceed \$4,637 million then the department may program not more than \$448 million in projects savings or other available resources from the ITIP, the SHOPP, or federal bridge replacement funds. The Department recommended and the Commission adopted a contingency reserve of \$448 million for Toll Bridge Seismic Retrofit. This reserve is to be identified separately along with the other expenditures for Toll Bridge Seismic Retrofit.

Commissioner McKenna moved to approve SHOPP 22-29 as modified by CTC staff. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

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SHA 30 – 36. Local Assistance:

Bob Sertich, Caltrans, reviewed Local Assistance (SHA 30-33), and recommended approval.

The Commission adopted the following assumptions:

- Local Assistance project delivery will be 100%.
- Any OA borrowed from local agencies in FY 2003-04 will be paid back in FY 2003–04. Any OA borrowed from locals prior to FY 2003–04 will be identified in the Fund Estimate with a proposed payback timeline.
- Federal lump sum allocations will no longer be cash flowed.
- The state and local percentage split for OA is estimated at 60/40 percent respectively.
- No state funds are set aside as local match for Local Seismic Retrofit projects.
- No change to the existing transportation program structures.
- Safe Routes to School Program will expire in January 2005.

Commissioner McKenna moved to approve LA 30-33 with staff recommendations. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

Bob Sertich, Caltrans, reviewed Local Assistance (SHA 34-36) and recommended approval.

Commissioner McKenna moved to approve LA 34-36. Commissioner Tavaglione seconded the motion, which carried 6 -0 (Commissioners Lindsey and Torres were absent).

SHA 37. Reservations:

Bob Sertich, Caltrans, reviewed SHA 37-39 and recommended approval.

The Commission did not adopt any assumptions for additional reservations.

SHA 38 – 39. Prior STIP Commitments:

The Commission adopted the Department's recommendation to have STIP expenditure levels reflect the program as amended through the September CTC meeting. Award savings will be factored in.

Commissioner McKenna moved to approve SHA 38-39. Commissioner Lawrence seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 40. GARVEE Bonds:

Bob Sertich, Caltrans, reviewed Garvee Bonds SHA 40 and 41-44 and recommended approval.

The Commission adopted the Department's recommendation to include all currently programmed GARVEE projects as existing commitments and to identify the debt service as a line in the Fund Estimate.

SHA 41 – 44. GARVEE Projects:

The Commission adopted the following assumptions related to GARVEE projects:

- All programmed GARVEE projects will be included in the Fund Estimate as existing commitments.
- Assume a 1 % issuance cost.
- Debt Service interest rate is assumed to be 4.75%.
- Programmed GARVEE projects will stay within the level of available programming.

Commissioner Lawrence moved to approve SHA 40-44. Commissioner Ghielmetti seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

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SHA 45. Contingencies

Bob Sertich, Caltrans, reviewed SHA 45 contingencies and recommended that no contingency for delivery shortfall be assumed.

The Commission adopted the Department's recommendation to not include a contingency for delivery shortfall.

Commissioner McKenna moved to approve SHA 45. Commissioner Lawrence seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 46 – 47. AB 3090 Projects:

Bob Sertich, Caltrans, reviewed AB 3090 (SHA 46-47) and recommended approval. Commissioner McKenna mentioned that the \$50 million is per county and not regional agency.

The Commission adopted the department's recommendations to assume that the Commission would program AB 3090 projects within available resources and that the following amounts for cash reimbursements would be included as part of the existing commitments:

FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09
\$17.5 m	\$43.6 m	\$75.1 m	\$43.8 m	\$43.8 m

Commissioner McKenna moved to approve 46 and 47 with the \$50 million county/regional agency correction. Commissioner Lawrence seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

SHA 48 – 50. Advanced project Development Element:

Bob Sertich, Caltrans, reviewed the Advance Project Delivery Element (SHA 48-50) and recommended approval.

The Commission adopted the Department's recommendation not to include APDE.

Commissioner McKenna moved to approve 48-50 with Option A. Commissioner Ghielmette seconded the motion, which carried 6-0 (Commissioners Lindsay and Torres were absent).

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Public Transportation Account**PTA 1 – 8. PTA Revenues**

Bob Sertich, Caltrans, reviewed the PTA account and recommended approval.

The Commission adopted the following recommendations from the Department:

- The beginning cash balance will be calculated on an accrual basis.
- Revenues from gasoline sales will grow at 1.25 percent annually and diesel at 4.8 % annually.
- Payback of the \$275 million loan repayment will be made June 30, 2008 from the TCRF to PTA.
- Federal funds will be used for support functions of mass transit and planning.
- The Aeronautics transfer will equal \$30,000 per year.
- Historical trends will be used to estimate the transfer of non-Article XIX revenues from SHA to PTA.
- The TIF transfer will, as specified in law, resume in FY 2004–05. TIF revenues will be identified separately in the Fund Estimate. (NOTE: Since the Commission can only assume what is in current law, no reductions should be assumed that predate an action on the part of the Legislature with regard to TIF.)
- SHA resources to cover the Department's Planning support costs will be transferred consistent with the State Operations assumptions.

Commissioner McKenna moved to approve PTA 1-3. Commissioner Hallisey seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

Bob Sertich, Caltrans, reviewed PTA 4 and 5 and recommended approval. Commissioner McKenna moved to oppose PTA 4 and 5. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

Bob Sertich, Caltrans reviewed PTA 6-8 and recommended approval. Commissioner Lawrence moved to approve PTA 6-8 as presented. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

PTA 9. PTA Revenues:

Bob Sertich, Caltrans reviewed PTA 9 and recommended approval.

The Commission adopted the Department's recommendation to show the PTA share of TBSRA as \$30 million in FY 2005–06 and \$40 million in FY 2006–07. This should fulfill the PTA's commitment to TBSRA per SB 60/AB 1171. It will be clearly defined in the Fund Estimate.

Commissioner Lawrence moved to approve PTA as presented. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

PTA 10. Prudent Cash Balance:

Bob Sertich, Caltrans, reviewed PTA 10 and recommended approval.

The Commission adopted the Department's recommendation to maintain a Prudent Cash Balance of \$52 million.

Commissioner McKenna moved to approve PTA 10. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

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PTA 11. Expenditures

Bob Sertich, Caltrans, reviewed PTA 11 and 12 and recommended approval.

The Commission directed the Department for the purpose of calculating the draft Fund Estimate that the cost of the Intercity Rail Program be held constant at the FY 2003-04 level for the five years of the Fund Estimate. This assumption can be revisited after the presentation of the funding levels and resulting performance outcomes at the October meeting.

PTA 12. Expenditures

The Commission adopted the Department's recommendation to assume a 1.01% escalation factor for ferry operations costs.

Commissioner McKenna moved to approve PTA 11 and 12 with staff's correction on 11. Commissioner Hallisey seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

PTA 13. State Operations:

Bob Sertich, Caltrans, reviewed PTA 13 and recommended approval.

Consistent with the recommendation made on the State Highway Account the Commission directed the Department to modify their assumption to reflect a revised FY 2003-04 base budget and then escalate the State Operations dollars 2 percent annually for the five years of the fund estimate.

Commissioner McKenna moved to approve. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

Transportation Investment Fund

Bob Sertich, Caltrans, reviewed TIF 1-2 and recommended approval.

The Commission adopted the Department's recommendations to assume that the TIF transfer would occur in FY 2004-05 and that there is no need for a prudent cash balance. (NOTE: Since the Commission can only assume what is in current law, no reductions should be assumed that predate an action on the part of the Legislature with regard to TIF.)

Commissioner McKenna moved to approve TIF 1 and 2. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioner Lindsey and Torres were absent).

Transportation Deferred Investment Fund

Bob Sertich, Caltrans, reviewed TDIF 1-4 and recommended approval.

The Commission adopted the Department's recommendations that the transfer of General Funds to the TDIF would occur June 30, 2009, the current PMIA interest rate of 1.859 % would be used to calculate the interest and funds would be distributed as they would have been in FY 2003 – 04 to TCRP, STIP, Local Streets and Roads and PTA.

Commissioner McKenna moved to approve. Commissioner Lawrence seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

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Aeronautics Account

Bob Sertich, Caltrans, reviewed Aero 1-7 (Aeronautics Account Assumptions) and recommended approval.

The Commission adopted the recommendations of the Department as follows:

- The beginning balance is calculated on an accrual basis.
- Jet fuel revenues will increase at a rate of 10.9 % annually and aviation gasoline revenue will decrease at 3.2%. (NOTE: There is a large variation in the taxes imposed by the State on these two fuels. Jet fuel is taxed at 2 cents per gallon and gasoline at 18 cents per gallon. There is a potential problem of declining funds as the shift from aviation gasoline to jet fuel continues.)
- Transfer to the PTA is \$30,000 per year.
- Existing commitments include what has been programmed through the 2002 AIP and A&D programs only.
- Future federal revenues and programs will be based on the President's Air 21 proposal.
- Consistent with the assumption made in the other accounts regarding State Operations, the Department will begin with an adjusted FY 2003-04 base budget and then escalate it at 2% annually.

Commissioner McKenna moved to approve Aero 1-7. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lindsey and Torres were absent).

ADJOURN

Executive Director Diane Eidam announced that the September 25, 2003 meeting would be held at 1616 Ninth Street and that the Commissioner's dinner location was changed.

There being no further business, the meeting adjourned at 5:00 p.m.

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MINUTES

**September 25, 2003
Sacramento, California**

The meeting of the California Transportation Commission was called to order on September 24, 2003 at 8:32 a.m. at the Department of Water Resources Auditorium, First Floor, 1416 Ninth Street, Sacramento, California.

ROLL CALL

Roll call was conducted. The Commissioners attendance was as follows:

Members Present: R. Kirk Lindsey, Chair
Bob Balgenorth, Vice Chair
Jim Ghielmetti
Allen Lawrence
Dianne McKenna
Joseph Tavaglione

Members Absent: Esteban Torres
Jeremiah Hallisey
Senator Kevin Murray, Ex-Officio
Assemblyman John Dutra, Ex-Officio

CLOSED SESSION PERTAINING TO LITIGATION

Chair Lindsey asked the room to be cleared.

INTO CLOSED SESSION

OUT OF CLOSED SESSION & RECONVENE OPEN SESSION

Chair Lindsey announced that no decisions were made by the California Transportation Commission in the closed session

7. · **Report by Business Transportation and Housing Agency Secretary** 1.(8)

Business Transportation and Housing Agency, Assistant Secretary, John Ferrera, discussed the Federal TEA 21 Reauthorization and bill signing schedules.

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REGIONAL AGENCIES AND RURAL COUNTIES REPORT (#7-8)

8. Report by Regional Agencies Moderator 1.(7)

Regional Agencies Moderator Peter DeHaan discussed the follow-up on the Federal TIP financial constraint issues, the memo from Caltrans regarding staff reduction and Caltrans list of projects affected by staff reductions. The regions are concerned and are willing to assist and offer any support possible. Also the regions are working on funding possibilities for PPM work.

9. Report by Rural Counties Task Force Chair 1.(8)

Rural Counties Task Force Chair George Dondero presented the Rural Counties Task Force Report and said that they are looking forward to the annual conference. Discussed at the RCTF meeting in September was the issue of TDA funds and that the fact that the rural counties have no alternative funds to backfill.

INFORMATION CALENDAR (#10-17)

IC

Deputy Director Stephen Maller presented the Information Calendar agenda items #10-17.

10. IC Info Rpt. Seis. Retro Phase1 G-11, 1 proj.@ \$1.2m 2.5f(2)

This Item was presented on the information calendar.

11. IC Info Rpt. Seis. Retro Prop192 G-11, 1 proj@ .450m 2.5f(3)

This Item was presented on the information calendar.

12. IC Info Rpt. SHOPP Rehab/Safety, 1 proj. @ \$1.8m 2.5f(4)

This Item was presented on the information calendar.

13. IC Monthly Report-Projects Voted but not Awarded 3.2a

This Item was presented on the information calendar.

14. IC Monthly Report-Projects Amended into SHOPP 3.3.

This Item was presented on the information calendar.

15. IC Monthly Report-Locl Assist STIP voted/not awarded 3.4

This Item was presented on the information calendar.

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- 16. IC** Traffic Cong. Relief Pending Alloc., 23 @ \$173m 4.3b

This Item was presented on the information calendar.

- 17. IC** Aeronautics Pending Allocations, 51 @ \$4.6m 4.3c

This item was presented on the Information Calendar.

CONSENT CALENDAR (#18-42)

CC

Deputy Director Robert Chung noted that Items 36, 37 and 39 were changed per the pink handout. Commissioner Ghielmetti removed Item #20 from the Consent Calendar.

Commissioner McKenna moved to approve the Consent Calendar excluding Item #20 as presented with the deletions, additions, and corrections, as noted by Deputy Director Chung. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

- 18. CC** • STIP Amendment 02S-099 2.1a.(1)
 The San Bernardino Associated Governments
 (SANBAG) and Department of Transportation
 (Department) are re-requesting this amendment. The
 Department and SANBAG propose to shift \$19,781,000
 of Regional Improvement Program (RIP) Construction
 funds in FY 2003-04 from the Route 210 Corridor
 project (PPNO 0193S) to the Route 215 project (PPNO
 0247D) in FY 2003-04 for Construction. This is a
 revenue neutral programming action. (Noticed at the
 August 2003 CTC meeting.)

This item was approved on the Consent Calendar.

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- 19. CC** • STIP Amendment 02S-100 2.1a.(2)
- The Ventura County Transportation Commission (VCTC) is requesting this amendment. VCTC proposes to unprogram a total of \$3,729,000 of Regional Improvement Program (RIP) funds in FY 2003-04 for construction of the following two projects: \$1,631,000 from the Highway 23 Widening project (PPNO 1167D) and \$2,098,000 from the Highway 118 Widening project (PPNO 1238J). VCTC proposes to utilize the savings from the above projects by programming an equal amount of RIP funds in FY 2004-05 and advancing the construction of the following two projects from FY 2005-06 to FY 2004-05: \$1,052,000 to the Camarillo Metrolink Station Improvements (PPNO 9116F) and \$2,677,000 to the Camarillo Station Park and Ride Lot Expansion (PPNO 3125) projects. A total of \$3,000,000 in RIP funds in FY 2005-06 will revert back to Ventura County's unprogrammed share balance. (Noticed at the August 2003 CTC meeting.)

This item was approved on the Consent Calendar.

- 20. CC** • STIP Amendment 02S-101 2.1a.(3)
- The Department of Transportation (Department), Santa Clara Valley Transportation Authority (VTA) and San Benito Council of Governments (COG) are requesting this amendment. The Department, Santa Clara VTA and San Benito COG request the Commission approve a replacement project per AB 3090, to replace the currently programmed funds for Environmental work of the "Route 25 Widening" project (PPNO 4854) in Santa Clara and San Benito counties. Environmental work is currently programmed for \$1,700,000 in Regional Improvement Program (RIP) funds in FY 2006-07. The Santa Clara VTA and the County of San Benito will use local funds in FY 2003-04 for the Department to complete Environmental work for the project. Santa Clara VTA is requesting to program a replacement project for \$1,700,000 in FY 2006-07, an alternative project will be identified at a later date. This is a revenue neutral programming action. (Noticed at the August 2003 CTC meeting.)

This item was removed from the Consent Calendar by Commissioner Ghielmetti. Deputy Director Chung explained the item and the action requested. After a brief discussion Commission McKenna moved to approve the Item. Commissioner Ghielmetti seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

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- 21. CC** • STIP Amendment 02S-102 2.1a.(4)
- The Riverside County Transportation Commission (RCTC) is requesting this amendment. RCTC proposes to designate the Route 60/91/215 Interchange project (PPNO 0121D) in Riverside County as a reimbursement project per AB 3090. The Commission approved this project for Grant Anticipation Revenue Vehicle (GARVEE) funding at the June 2003 Commission meeting. RCTC proposes to use \$33,915,000 of Local funds to advance the Construction phase now for later Regional Improvement Program (RIP) reimbursement of \$31,324,000 in FY 2006-07. This is a revenue neutral programming action. (Noticed at August 2003 CTC meeting.)

This item was approved on the Consent Calendar.

- 22. CC** • Traffic Congestion Relief (TCR) Application 2.1c.(5)
- Amendment Approval. Two application amendments, no change in net funding.
- Resolution TAA-03-11, Amending Resolutions TA-01-06 and TA-01-15
- Project #9.2 – Capitol Corridor; improve intercity rail line between Oakland and San Jose, and at Jack London Square and Emeryville stations in Alameda and Santa Clara Counties – Emeryville Station Track and Platform Improvements. Amend application to program \$1,750,000 in TCR funds, update schedule and funding plan, and identify a staged construction plan. Original TCR application approved under Resolution TA-01-06. The Capitol Corridor Joint Powers Authority (CCJPA) is requesting this amendment. (Related item under 2.6e.(1).)
- Project #9.3 – Capitol Corridor; improve intercity rail line between Oakland and San Jose, and at Jack London Square and Emeryville stations in Alameda and Santa Clara Counties - Jack London Square Station Track Improvements. Amend application to revise project scope, to de-program (\$1,750,000) in TCR funds, and update schedule and funding plan. Original TCR application approved under Resolution TA-01-15. The CCJPA is requesting this amendment. (Related item under 2.6e.(1).)

This item was approved on the Consent Calendar.

- 23. CC** • Environmental Matters – Comments on Documents in 2.2b
- Circulation (Draft EIS/EIR) – Route 101 in Sonoma County – Widen to six lanes in Santa Rosa (DEIR).

This item was approved on the Consent Calendar.

	<u>Item Description</u>	<u>Ref. #</u>
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- 24. CC** • Approval of Project for Future Consideration of Funding – Route 101 in Mendocino County – Realign a curve near Leggett (ND). Resolution E-03-22 2.2c.(1)

This item was approved on the Consent Calendar.

- 25. CC** • Approval of Project for Future Consideration of Funding – Route 128 in Mendocino County – Replace a bridge in Boonville (ND). Resolution E-03-23 2.1c.(2)

This item was approved on the Consent Calendar.

- 26. CC** • Approval of Project for Future Consideration of Funding – Routes 5 and 299 in Shasta County – Construct an access ramp and replace a bridge in Redding (ND). Resolution E-03-24 2.2c.(3)

This item was approved on the Consent Calendar.

- 27. CC** • Approval of Project for Future Consideration of Funding – Route 96 in Siskiyou County – Replace a culvert near Seiad Valley (ND). Resolution E-03-25 2.2c.(4)

This item was approved on the Consent Calendar.

- 28. CC** • Approval of Project for Future Consideration of Funding – Route 193 in Placer County – Construct a left-turn lane near Lincoln (ND). Resolution E-03-26 2.2c.(5)

This item was approved on the Consent Calendar.

- 29. CC** • Approval of Project for Future Consideration of Funding – Route 80 in Contra Costa County – Construct an HOV lane in each direction near Crockett (ND). Resolution E-03-27 2.2c.(6)

This item was approved on the Consent Calendar.

	<u>Item Description</u>	<u>Ref. #</u>
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- 30. CC** • Approval of Project for Future Consideration of Funding 2.2c.(7)
 – Route 101 in Santa Barbara County – Construct a
 bikeway and northbound auxiliary lane near Summerland
 (ND). Resolution E-03-28

This item was approved on the Consent Calendar.

- 31. CC** • Approval of Project for Future Consideration of 2.2c.(8)
 Funding – Route 166 in Santa Barbara and San Luis
 Obispo Counties – Overlay existing pavement and
 widen existing lanes and shoulders in the town of New
 Cuyama (ND). Resolution E-03-29

This item was approved on the Consent Calendar.

- 32. CC** • Approval of Project for Future Consideration of 2.2c.(9)
 Funding – Route 192 in Santa Barbara County –
 Replace a bridge near Carpinteria (ND).
 Resolution E-03-30

This item was approved on the Consent Calendar.

- 33. CC** • Approval of Project for Future Consideration of 2.3c.(10)
 Funding – Route 90 in Orange County – Construct a
 grade separation in Anaheim and Yorba Linda (ND).
 Resolution E-03-31

This item was approved on the Consent Calendar.

- 34. CC** • Approval of Project for Consideration of Funding – 2.2c.(11)
 Route 880/Coleman Avenue in Santa Clara County –
 Reconstruct an existing interchange in San Jose (FEIR).
 Resolution E-03-32

This item was approved on the Consent Calendar.

- 35. CC** • One New Public Road Connection to State Route 101 2.3b.
 at Springville Drive 07-Ven-101 KP 27.0 (PM 16.8) in
 the City of Camarillo
 Resolution S-723

This item was approved on the Consent Calendar.

- 36. CC** • Two Relinquishment Resolutions 2.3c.
 -- 04-Sol-80-PM R25.9 Route 80 in the City of Vacaville
 Resolution R-3555

	<u>Item Description</u>	<u>Ref. #</u>
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-- 08-SBd-66-PM 10.9/17.1 Route 66 in the City of Fontana

Resolution R-3557

This item was approved on the Consent Calendar.

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| 37. CC | <ul style="list-style-type: none"> • 9 Resolutions of Necessity Resolutions C-18835 and C-18837 through C-18843, and C-18846 | 2.4b. |
|---------------|---|-------|

This item was approved on the Consent Calendar.

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| 38. CC | <ul style="list-style-type: none"> • Director's Deeds, Items #1 Through #6 Excess Lands - Return to State: \$1,240,760, Return to Others: \$0 | 2.4d. |
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This item was approved on the Consent Calendar.

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| 39. CC | <ul style="list-style-type: none"> • Traffic Congestion Relief (TCR) Project Allocation Amendment Approval. Two allocation amendments, no net change in funding. Resolution TFP-03-03 -- \$1,750,000 – Project #9.2 – Capitol Corridor; improve intercity rail line between Oakland and San Jose. Allocate a total \$1,750,000 to Phase 4 – Construction (CON) from TCRP Sub-project #9.3. Implementing Agency: Capitol Corridor Joint Powers Authority (CCJPA) (Related item under 2.1c.(5).) -- (\$1,750,000) – Project #9.3 – Capitol Corridor; improve intercity rail line between Oakland and San Jose. De-allocate (\$1,750,000) from Phase 1 – Environmental And Permits and Phase 2 – Plans, Specifications, and Estimates to be reallocated to TCRP Sub-project #9.2. Project phase(s) originally allocated under delegated authority. Implementing Agency: CCJPA (Related item under 2.1c.(5).) | 2.6e. |
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This item was approved on the Consent Calendar.

	<u>Item Description</u>	<u>Ref. #</u>
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| 40. CC | <ul style="list-style-type: none"> • Technical Correction to Traffic Congestion Relief (TCR) Program Allocation Amendment Resolution TFP-03-01, approved June 26, 2003. Fix error in funding plan previously presented for TCR Project #38.1 and TCR Project #97.2 to reflect correct amounts. Strikeout notation for TCR Project #97.2 to redistribute \$300,000 in TCR funds from Phase 4 – Construction to Phase 3 – Right of Way, as these phases have not yet been allocated. | 2.9a. |
| | Resolution TFP-03-04, Amending Resolution TFP-03-01 | |

This item was approved on the Consent Calendar.

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| 41. CC | <ul style="list-style-type: none"> • Amend Resolution MFP-01-20 to rescind a \$750,000 allocation to the Los Angeles MTA for a Fuel Cell powered technology project and allocate \$750,000 to the Los Angeles MTA for a hybrid powered technology project. | 2.9a. |
| | Resolution MFP-03-___, Amending Resolution MFP-01-20 | |

THIS ITEM WAS WITHDRAWN PRIOR TO THE MEETING

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| 42. CC | <ul style="list-style-type: none"> • Approval of Capital Improvement Program (CIP) Biennial Update – Element of the California Aviation System Plan (CASP) Resolution G-03-16 | 4.9 |
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This item was approved on the Consent Calendar.

Environmental Matters (#43)

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| 43. | <ul style="list-style-type: none"> • Approval of Project for Future Consideration of Funding – BART Fremont to Warm Springs Extension (TCRP #1) (FSEIR). Resolution E-03-33 | 2.2c.(12) |
|-----|--|-----------|

Deputy Director Robert Chung reviewed the project and recommended approval of CTC Resolution E—03-33.

Commissioner McKenna moved to approve CTC Resolution E-03-33. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

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- Elderly and Disabled Transit Program (#44)**
44. • Hearing and Adoption on FFY 2003-04 Federal Transit Administration (FTA) Section 5310 Elderly and Disabled Transit Program Resolution G-03-15 4.7
- TIMED ITEM: Thursday, September 25, at 9:30am**

Assistant Deputy Director Annette Gilbertson reviewed the statutory authority and history of the Program. Ms. Gilbertson recommended approval of the Program of Projects for FFY 2003-04.

Chair Lindsey asked for public comments of which there were none.

Commissioner Balgenorth moved to approve the Program of Projects. Commissioner Lawrence seconded the motion, which carried 5-0 (Commissioners Hallisey, Torres and McKenna were absent).

- CALTRANS REPORTS (#45-53)**
45. • Report by Caltrans' Director and/or Deputy Director 1.(6)

Bob Garcia, Caltrans, provided an overview of reductions and the reduction plan. Mr. Garcia said there would be a significant reduction across all fund sources. Currently the plan and reductions are under review by the Department of Finance. The Department is committed to working with all parties to determine the right level of resources to keep projects moving forward.

46. • Caltrans Monthly FY 2003-04 Finance Report 3.1

Bob Sertich, Caltrans, discussed the modified monthly report format and gave an update on the PTA, TCRF and said that his staff will work with Commission staff to improve the report.

ACTION: Robert Sertich/Joan Borucki

47. • Updated FY 2003-04 and FY 2004-05 Cash Forecast Status 3.6

Bob Sertich, Caltrans, said in June the balance would be \$123 million but is reporting that it will be \$330 million. Mr. Sertich reviewed the SHA June forecast, reviewed the SHA revenue changes since June and recommended the Commission hold allocations until the federal budget is signed. Mr. Sertich will report back to the Commission each month.

48. • Fourth Cycle AB 1012 Unobligated RSTP, CMAQ and Regional TEA "Use It or Lose It" Balance Report 3.5

Norma Ortega, Caltrans, reviewed the Fourth Cycle AB 1012 Unobligated Balance report. The Department released the Fourth Cycle balance notices on December 9, 2002, at that time the unobligated balance stood at \$209 million. Ms. Ortega reported the balance is now down to \$27 million, but she expects the regional agencies may have problems obligating the remaining balance by the December 2003 deadline since the State borrowed \$200 million of Local Assistance Obligational Authority.

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49. • Fourth Cycle AB 1012 – Redirection of “Use it or Lose It” Funds Due to State Use of Local Obligation Authority Resolution G-03-17 3.7

Norma Ortega, Caltrans, requested that any Fourth Cycle AB 1012 unobligated funds be redirected back to at risk regional agencies until adequate Obligation Authority becomes available.

Commissioner Balgenorth moved to approve the redirection. Commissioner McKenna seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

50. • Local Assistance Quarterly Lump Sum Allocation Status Report for 2002-03 Fiscal Year 3.8

Norma Ortega, Caltrans, reviewed the Allocation status and indicated the \$200 million loan of local obligational authority to the state has contributed to lower delivery rate, but indicated that the entire allocation amount should be used.

51. • 4th Quarter Project Delivery Report 3.9

Carl Haack, Caltrans, reviewed the Department's delivery status for FY 2002-03. Mr. Haack indicated that even though the Department delivered on its STIP and SHOPP project commitments the Commission was not able to allocate funds to many of the projects and they wound-up on the pending allocation list and did not proceed to construction. Also, it was noted that environmental document delivery is still a struggle although progress is being made.

52. • Intercity Rail FY 2002-03 4th Quarter Delivery Report 3.10

Warren Weber, Caltrans, discussed the 4th quarter delivery report for intercity rail. Mr. Weber reported that there were record ridership numbers for all corridors. Commissioners expressed concern about the farebox recovery ratios and what plans did Caltrans have to insure that the farebox was increased. Commissioner Lawrence requested Mr. Weber to provide to the Commissioners an estimate of the costs to increase the on farebox ratio to 95% for the Surfliner.

ACTION: Warren Weber

53. • FY 2003-04 Right of Way Allocation Impacts 3.11

Bimla Rhinehart, Caltrans, reviewed the Department's priorities for using the constrained right of way allocation. Brent Felker, Caltrans, said that the constrained allocation is an issue and that not all projects programmed for delivery in the current fiscal year will be delivered because the needed right of way will not be acquired.

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- 54. State Legislation (#54)**
- State Legislative Matters * 4.1
 - Proposition 53: California Twenty-First Century Infrastructure Investment Fund

Chief Deputy Director Joan Borucki provided a summary of transportation bills of interest. Dan Pellissier, discussed Proposition 53, infrastructure funding.

- PULLED STIP Amendment for Notice (#55)**
- 55.** • STIP Amendment 02S-103 ~~2.1b.~~
- The San Gabriel Valley Council of Governments (SGVCOG) is requesting this amendment. SGVCOG proposes to designate Temple Avenue Train Diversion project in the City of Pomona, which is a part of the Alameda Corridor East project (PPNO 2318), as a reimbursement project per AB 3090. Los Angeles County Metropolitan Transportation Authority (LACMTA) will provide a total of \$1,766,000 of local funds (Proposition C) to SGVCOG in FY 2003-04 to complete the Right of Way (R/W) phase now for later Regional Improvement Program (RIP) reimbursement in FY 2005-06. This is a revenue neutral programming action.

THIS ITEM WITHDRAWN PRIOR TO MEETING

- 56. Highway Right of Way Matters (#56-57)**
- One Resolution of Necessity – Appearance 2.4a.
 - Henry F. Bocchini, et ux., 06-Fre-180-KP 102.3, Resolution C-18834

Deputy Director Stephen Maller reviewed the statutory authority and the three issues the Commission must determine in adopting a resolution of necessity. Linda Fong, Caltrans, presented the Department's case for the condemnation and indicated the project is based on an existing public road easement dedicated to Fresno County back in 1984 and reserved for future widening of Fowler Avenue before the development of the 24-acre property as a golf course was allowed by the county. Mr. Hank Bocchini Jr. owner of the property indicated golf course improvements were made on the dedicated road easement and said he would have to shut down the golf course if the condemnation was approved. Mr. Bocchini requested the Department shift its project to the other side of Fowler Avenue.

Commissioner McKenna moved to approve the resolution of necessity. Commissioner Balgenorth seconded the motion, which failed 3-3 (Commissioners Ghielmetti, Tavaglione and Lawrence voted no. Commissioners Hallisey and Torres were absent). Six affirmative votes are required for approval of a resolution of necessity.

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57. • One Airspace Lease Direct Negotiations 2.4c.
 McCall Family Trust (Toyota Central), 07-LAX-010-
 0048,50,90

Barry Cowan, Caltrans, discussed the terms and conditions of this lease and said that the Airspace Advisory Committee is recommending approval.

Commissioner Lawrence moved to approve the lease. Commissioner McKenna seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

Traffic Congestion Relief (TCR) Program Application
Approvals/Amendments/Letter of No Prejudice Approvals (#58-59)

58. • Traffic Congestion Relief (TCR) Application 2.1c.(2)
 Amendment Approval. One application amendment
 requesting \$14,000,000 in new funding.
 Resolution TAA-03-10, Amending Resolution TA-02-06
 -- Project #37.2 – Los Angeles Mid-City Transit Improve-
 ments; build Light Rail Transit system along Exposition
 Blvd. in Los Angeles County. Amend application to
 program an additional \$14,000,000 in TCR funding for
 Phase 1 – Environmental and Permits (ENV) and update
 schedule for Phase 1 – ENV, as well as overall project
 cost and schedule. Original TCR application approved
 under Resolution TA-02-06. The Los Angeles County
 Metropolitan Transportation Authority is requesting this
 amendment. (Related item under 2.1c.(4).)

Ross Chittenden, Caltrans, reviewed the application amendment and recommended approval.

Commissioner McKenna moved to approve Items 58 and 59. Commissioner Lawrence seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

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59. • Traffic Congestion Relief (TCR) Letter of No Prejudice (Letter) Approvals. Six Letter requests totaling \$19,710,000. Resolution TL-03-01 2.1c.(4)
- Project #27.3 – \$980,000 for Phase 4 for Vasco Road Safety and Transit Enhancement Project in Alameda and Contra Costa Counties – Valley Center ACE Parking Structure.
Applicant Agency: Alameda County Congestion Management Agency
- Project #37.2 – \$14,000,000 for Phase 1 for Los Angeles Mid-City Transit Improvements; build Light Rail Transit system along Exposition Blvd.
Applicant Agency: Los Angeles County Metropolitan Transportation Authority. (Related item under 2.1c.(2).)
- Project #74.5 – \$3,288,000 for Phase 4 for Pacific Surfliner; double track intercity rail line within San Diego County, add maintenance yard in San Diego County – Encinitas Passing Track.
Applicant Agency: San Diego North County Transit District (NCTD)
- Project #141 – \$200,000 for Phase 2 for Union City; pedestrian bridge over Union Pacific rail lines.
Applicant Agency: City of Union City
- Project #152 – \$692,000 for Phase 4 for Pasadena Gold Line transit-oriented mixed-use development.
Applicant Agency: City of South Pasadena
- Project #153 – \$550,000 for Phase 4 for Pasadena Gold Line utility relocation.
Applicant Agency: City of South Pasadena

This Item was passed under Item #58.

- Financial Allocations/Pending Allocations #60-77)**
60. • Financial Allocation for Three Minor SHOPP Safety Projects totaling \$2,030,000. Resolution FP-03-10 2.5a.(3)

Deputy Director Stephen Maller reviewed the SHOPP Safety allocations and recommended approval.

Commissioner Lawrence moved to approve the allocation. Commissioner McKenna seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

61. • Financial Allocation for Grant Anticipation Revenue Vehicle (GARVEE) Bonds: STIP Projects – Interstate 15 Managed Lanes, Interstate 880/Coleman Interchange, and Riverside 60/91/215, totaling \$490,000,000, plus \$114,858,600 from other sources. Resolution FG-03-01 ____ 2.5b.(6)

Deputy Director Stephen Maller reviewed the GARVEE allocation and recommended approval with two modifications to the resolution.

Commissioner Balgenorth moved to approve the allocation with the staff corrections. Commissioner Lawrence seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

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- 62.** • Financial Allocation for Six Minor Projects totaling 2.5a.(1)
\$2,586,000. Resolution FP-03-____

Deputy Director Stephen Maller reviewed Items 62 through 74 recommending that all be put on the pending allocation list.

Commissioner Balgenorth moved to place Items 62 through 74 on the pending allocation list. Commissioner McKenna seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

- 63.** • Financial Allocation for Two Minor Projects not 2.5a.(1.1)
designated for allocation in the FY-03-04 SHOPP
Allocation Plan totaling \$686,000.

This item was heard under Item 62.

- 64.** • Financial Allocation for Two Minor SHOPP Projects 2.5a.(2)
totaling \$947,000. Resolution FP-03-____

This item was heard under Item 62.

- 65.** • Financial Allocation for Two STIP Projects On the State 2.5b.(1)
Highway System totaling \$68,611,000. Resolution FP-03-

This item was heard under Item 62.

- 66.** • Financial Allocation for One SHOPP Project designated 2.5b.(2)
for allocation in the Proposed FY-03-04 SHOPP Allocation
Plan for \$500,000. Resolution FP-03-____

This item was heard under Item 62.

- 67.** • One SHOPP Project not designated for allocation in the 2.5b.(2.1)
Proposed FY-03-04 SHOPP Allocation Plan for
\$2,868,000.

This item was heard under Item 62.

- 68.** • Financial Allocation for Three SHOPP Projects 2.5b.(3)
Amended into the SHOPP by Departmental action totaling
\$73,144,000. Resolution FP-03-____

This item was heard under Item 62.

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- 69.** • Financial Allocation for Two SHOPP Managed TEA Projects on the State Highway System designated for allocation in the Proposed FY-03-04 SHOPP Allocation Plan totaling \$800,000, plus \$334,000 from other sources. Resolution FP-03-____ 2.5b.(4)

This item was heard under Item 62.

- 70.** • Financial Allocation for Three Local Assistance STIP Projects off the State Highway System totaling \$626,000, plus \$693,000 from other sources. Resolution FP-03-____ 2.5c.(1)

This item was heard under Item 62.

- 71.** • Financial Allocation for One Local Assistance Statewide Transportation Enhancements (STE) Project for \$22,132. Resolution FP-03-____ 2.5c.(2)

This item was heard under Item 62.

- 72.** • Financial Allocation for One Local Assistance STIP Project in Monterey County for Road Pavement and Rehabilitation for \$200,000. Resolution FP-03-____ 2.5c.(5)

This item was heard under Item 62.

- 73.** • Financial Allocation for Four Local Assistance STIP Projects for Planning, Programming and Monitoring totaling \$602,000. Resolution FP-03-____ 2.5c.(8)

This item was heard under Item 62.

- 74.** • Financial Allocation for one STIP Intercity Rail Project in Ventura County for \$9,500,000. MFP-03-____ 2.6a.(2)

This item was heard under Item 62.

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75. • Highway/Rail and Transit Pending Allocations – 4.3a.
373 project allocations totaling \$533,309,000
Resolution FP-03-11 and Resolution FP-03-12

Deputy Director Stephen Maller reviewed this item. Mr. Maller recommended that two SHOPP minor safety projects and a \$22,000 Butte County STIP project be allocated. In addition, Mr. Maller relayed information from Riverside County that its Indian Canyon Drive project not be lapsed and that the following Monterey County projects be lapsed #32 & 33 on page 22, #18 & 19 on page 30 and #11 on page 51.

Commissioner Lawrence moved to approve the item as recommended by staff. Commissioner McKenna seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

76. • Financial Allocation for Supplemental Funds for 2.5e.
Previously Voted Projects. Two Projects totaling
\$746,000. Resolution FA-03-___
-- 11-SD-905 – SHOPP Project in San Diego County.
Original vote \$6,100,000. Award amount \$5,751,000.
Current allocation is \$6,526,100. This request of
\$621,000 to closeout the construction contract results in
an increase of 24% over the award amount.
-- 11-SD-8 – SHOPP Project in San Diego County.
Original vote \$2,258,000. Award amount \$2,525,500.
Current allocation is \$2,645,500. This request of
\$125,000 to closeout the construction contract results in
an increase of 23% over the vote amount.
Resolution FA-03-02

Jim Nicholas, Caltrans, reviewed the item and recommended allocation of the supplemental funds.

Commissioner Balgenorth moved to approve the allocation. Commissioner Lawrence seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

77. • Informational Report on Emergency: G-11 Allocations. 2.5f.(1)
Eight projects totaling \$5,679,000.

Jim Nicholas, Caltrans, reviewed the informational report on G-11 allocations.

- Time Extension Requests (#78-80)**
78. • Request to Extend the Period of Contract Award for 2.8b.
three local STIP projects totaling \$1,323,000. Waiver-03-
23

Deputy Director Stephen Maller reviewed the items and recommended 6-month extensions for the three projects.

Commissioner McKenna moved to approve staff's recommendation. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

79. • Request to Extend the Period of Project Completion for 2.8c.
one local STIP project in the City/County of San Francisco

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for \$3,986,000. Waiver-03-24

Deputy Director Stephen Maller reviewed the item and recommended approval.

Commissioner Lawrence moved to approve staff's recommendation. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Hallisey and Torres were absent).

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| 80. | • Request to Extend the Period of Contract Award for one local Proposition 116 project for the North County Transit District for \$2,877,462. Waiver-03-25 | 2.8e. |
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THIS ITEM WAS WITHDRAWN PRIOR TO MEETING.

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| <u>POLICY MATTERS / REPORTS (#81-85)</u> | | |
| 81. | • Report on AB 3090 Cash Reimbursements and GARVEE Debt Service | 3.12 |

Deputy Director David Brewer presented a report on the overall status of the Commission's commitments of future cash for AB 3090 reimbursements and for GARVEE bond debt service. The Commission asked staff to return with a proposed policy that would address GARVEE debt service.

ACTION: David Brewer

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| 82. | • 2003 Report of STIP Balances, County and Interregional Shares | 4.4 |
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Deputy Director David Brewer reviewed the statutory requirement and the data provided in the book item.

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| 83. | • Traffic Congestion Relief Program Policy for Managing Cash Resolution G-03-14 | 4.2 |
|-----|---|-----|

Deputy Director Robert Chung explained the intent of the proposed policy for managing cash between TCR projects. He discussed the benefits and risks of the proposed policy. Mr. Chung recommended approval.

Commissioner McKenna moved to approve the item. Commissioner Tavaglione seconded the motion, which carried 5-0 (Commissioners Hallisey, Torres and Lawrence were absent).

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| 84. | • Report on Investments to State Highway System by Outside Funding Sources | 4.8 |
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Carl Haack, Caltrans, reported on this item.

ACTION: Carl Haack

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85. • Report on Delegated Director's Deeds Sales 4.10
 for FY 2002-03

Debbie Cunningham, Caltrans, reported that the Department in FY 2002-03 disposed of 78 properties incapable of independent development under delegated authority.

86. **PRESENTATIONS (#86)**
 • Bi-Annual Report on Tri-County Partnership 5.2a.
 (Amador, Calaveras and Alpine Counties)

George Dondero, Calaveras County, provided a brief report on the Tri-Counties. Charles Field, Amador County, gave a brief history of the Tri-County Partnership discussing the projects involved and their status. Commissioner Lindsey thanked them and asked that the Tri-County Partnership keep the Commission updated on progress.

OTHER MATTERS / PUBLIC COMMENT 6.

None.

ADJOURN

There being no further business, the meeting adjourned at 1:05 p.m.

Diane C. Eidam, Executive Director

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

<http://www.catc.ca.gov>

**October 30, 2003
Redding, California**

The meeting of the California Transportation Commission was called to order on October 30, 2003 at 8:42 a.m. at the City of Redding City Council Chambers, 777 Cypress Avenue, Redding, California.

GENERAL BUSINESS (#1-5)

1.

1. Roll Call

1.(1)

Roll call was conducted. The Commissioners attendance was as follows:

Members Present: Kirk Lindsey, Chair
 Bob Balgenorth, Vice Chair
 Jim Ghielmetti
 Jeremiah Hallisey
 Allen Lawrence
 Dianne McKenna
 Joseph Tavaglione
 Esteban Torres

Members Absent: Ari Swiller
 Senator Kevin Murray, Ex-Officio
 Assemblyman John Dutra, Ex-Officio

Chair Lindsey commented on the tragedy of the fires in Southern California and the stresses placed on transportation and thanked Ann Mayer, Caltrans District 8 Director and district staff for their efforts. Commissioner Lindsey also noted that the fund estimate will be delayed to November 18, 2003, saying the estimate will be available on the 18th but the meeting will most likely be on November 21st.

Chair Lindsey announced Items Numbered 8, 45, 54 and 55 were pulled from the agenda, Items Numbered 28, 31 and 37 were removed from the Consent Calendar and Item Number 70 was added to the Consent Calendar.

2. Approval of Minutes for September 24, 2003 Meeting (1.(2))

The September 24, 2003 minutes will be provided at the December 2003 meeting.

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3. Commission Reports

1.(3)

Chair Lindsey again mentioned the fund estimate numbers will be available on November 18, 2003. Commissioner McKenna thanked Redding for hospitality and noted that it was the first time the Commission has held a meeting in Redding. Commissioner McKenna announced that Santa Clara County's Mike Evanhoe is retiring and that Mr. Evanhoe was the Commission's first Executive Director. Commissioner McKenna moved that the Commission prepare a letter of support for a resolution to name the Hwy 85/101 Interchange after Mr. Evanhoe. Commissioner Lawrence seconded the motion, which carried 8-0 (Commissioner Swiller was absent).

ACTION: Joan Borucki – Prepare a letter for Chair Lindsey's signature supporting the naming of the Highway 85 and 101 interchange in San Jose in honor of Mike Evanhoe.

4. Commissioners' Meetings for Compensation

1.(4)

Chair Lindsey presented the List of Commissioners' Meetings for Compensation for September and October 2003.

Commissioner Lawrence moved to approve the List. Commissioner Tavaglione seconded the motion, which carried 8-0 (Commissioner Swiller was absent).

**5. Report by Business Transportation and Housing
Agency Secretary**

1.(5)

Business Transportation and Housing Agency, Assistant Secretary, John Ferrera, said that the October 2003 meeting could be his last meeting to give the report and thanked everyone for the wonderful working relationships over the years. Mr. Ferrera then reviewed the Governor's commitment to transportation over the passed five years.

Chair Lindsey thanked Mr. Ferrera for his service and his good work.

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CALTRANS REPORTS (#6-8)

6. • Report by Caltrans' Director and/or Deputy Director 1.(6)

Bob Garcia, Caltrans, provided an update on budget reductions now at 12%. Mr. Garcia reviewed the net affect of the reductions and said that as much as 50% of the projects in the STIP would either be stopped or delayed. Mr. Garcia reviewed the conversion to ethanol gas and the affect of the tax reductions to California; he also discussed the federal legislative fixes. Mr. Garcia reported on the reductions to the seismic retrofit program, and commented on the fires and how they're affecting Districts 11, 7 and 12; one maintenance station burned and they're expecting extensive damage to others. Everyone is hoping that emergency funds will be forthcoming and the Department has a lot of staff working on the fire situation.

Chair Lindsey said that he's having a hard time hearing the doom and gloom regarding the 12% reduction and asked to see the process used to make the cuts. Mr. Garcia said that they will share the process with the Commission and that most of the cuts are in the capital support program. Chair Lindsey asked where the funds saved from the reductions will go and Mr. Garcia replied that the funds will go to the State Highway Account and does not believe that the savings will go to the General Fund. Mr. Garcia said that the 12% is on top of the reductions already made by the Department.

ACTION: Bob Garcia – Provide details of where cuts are being made and the decision process used in determining staff reductions at Caltrans.

7. • Caltrans Monthly FY 2003-04 Finance Report 3.1

Bob Sertich, Caltrans, discussed the monthly report and cash forecast impact on the SHOPP. Also discussed were:

- adjusted cash balance
- overall expenditures were \$160 million higher
- the cash balance was back on track in September 2003
- the federal budget delays threaten the cash balance in the 2nd quarter of FY 2003-04
- review of federal budget issues
- review of the Advance Construction (AC) and the \$4.3 billion commitment
- discussed the other AC commitments, GARVEE, Toll Bridge, etc., at \$1.2 billion

Chair Lindsey started the discussion and asked if the Department may need to change the method of forecasting? Mr. Sertich said that if the numbers still seem to be distorted in December then they will talk about what could be changed.

Mr. Sertich then reviewed the PTA ending cash balance for August at \$95 million; the TCRF ending cash balance for August at \$280 million. Chair Lindsey asked about the Seismic Retrofit and the Toll Bridge Accounts.

Commissioner Torres asked the Department to be more specific regarding the GARVEE Bond portion and the other federal budget issues. Mr. Sertich reported that he thought there are 4 projects seeking GARVEE's; San Diego, I-15; San Bernardino, I-215; and two projects in Santa Clara, Rt 87 and Rt 101. Ms. Borucki corrected the Department saying there are only 3 projects; Coleman Interchange, Santa Clara; Riverside 215; and the I-15 managed lanes in San Diego. Mr. Garcia said that no bonds have been sold, however, it is expected they will be sold in February 2004.

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Mr. Sertich reviewed the cash forecast of \$800 million SHOPP if voted in the spring. The impact is the reduction of \$91 million and \$482 million in the following year. Mr. Sertich then reviewed the uncertainty of federal funds. Chair Lindsey said that he didn't agree with the fourth point about not making allocations and what would happen if they moved back a month to December. Mr. Sertich said that he wasn't sure that it'd make a difference but that \$50 to 100 million a month spent sooner. Mr. Garcia said that the graph doesn't show the daily fluctuations in the cash balance and that they would have to borrow if it goes below zero. Chair Lindsey asked if that agreement wasn't already in place. Mr. Garcia responded affirmatively.

ACTION: Bob Garcia – Provide information on the anticipated close out dates for the Phase I and Phase II Seismic Retrofit Programs.

Bob Garcia – Provide encumbrance and expenditure information for the Toll Bridge Seismic Retrofit Program.

Bob Garcia – Provide a 24-month SHA Cash Forecast with the remaining \$800 million of FY03-04 SHOPP voted as delivered beginning in December.

- | | | |
|----|--|-----|
| 8. | <ul style="list-style-type: none"> • Informational Preliminary Report on Cash Flow for Traffic Congestion Relief (TCR) Program Projects. | 4.8 |
|----|--|-----|

THIS ITEM WAS WITHDRAWN PRIOR TO THE COMMISSION MEETING

REGIONAL AGENCIES AND RURAL COUNTIES REPORT (#9-11)

- | | | |
|----|---|-------|
| 9. | <ul style="list-style-type: none"> • Report by Regional Agencies Moderator | 1.(7) |
|----|---|-------|

Regional Agencies Moderator Peter DeHaan commented on the fires in the south and the incredible job that the Caltrans Districts are doing. Mr. DeHaan discussed the RTPA meeting on October 29th with the major topics including STIP Guidelines and GARVEE. The regions are looking forward to the fund estimate workshop. There is concern regarding the Caltrans reduction plan and the affect it may have on project delivery for the regional STIP projects.

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10. • Report by Rural Counties Task Force Chair 1.(8)

Rural Counties Task Force Vice Chair Kathleen Matthews presented the Rural Counties Task Force Report and reported on the Annual Rural Counties Task Force conference in conjunction with CalACT. Ms. Matthews thanked Executive Director, Diane Eidam, and Assistant Deputy Director, Kathie Jacobs, for their attendance at the conference. Sessions of note were Project Development, TDA, and Regional Transportation Plan Guidelines.

11. • Presentation by Shasta County Regional Transportation Planning Agency on Local Transportation Issues 5.2a.

Councilman Pat Kight, Shasta County RTPA Chairman, thanked the Commission for holding the meeting in Redding and he noted that Shasta County has 175,000 people and has the smallest MPO in the state.

Phil Perry, City of Redding, reviewed the regional center of Redding, the areas partnership projects and STIP submittals.

Brian Crane, Caltrans District 2 Director, noted that District 2 is the largest district in the state with 340,000 people in the entire district. Mr. Crane sees the biggest challenge is the rural highways with their severe climate and mountain terrain. Safety, roadway preservation, bridge preservation are all challenges that need to be met.

Dan Kovacich, Shasta RTPA Executive Officer, recognized Dan Little of his staff for his assistance in helping the Commission attend in Redding. Mr. Kovacich reviewed SB 45 and the accomplishments that were brought about.

Chair Lindsey thanked the speakers and underscored the importance of pooling resources and partnerships in these tough times.

INFORMATION CALENDAR (#12-26)

IC

Deputy Director Stephen Maller presented the Information Calendar agenda items #12-26.

12. IC • Informational Report on Emergency: G-11 Allocations. 2.5f(1)
Ten projects totaling \$8,946,000.

This Item was presented on the Information Calendar.

13. IC • Informational Report on SHOPP Safety: G-01-10 2.5f(4)
Allocation. Two projects totaling \$4,835,000.

This Item was presented on the Information Calendar.

14. IC • Monthly Report on Status of Projects Previously Voted 3.2
but Not Awarded

This Item was presented on the Information Calendar.

15. IC • Monthly Report on Projects Amended into the SHOPP 3.3
by Department Action

This Item was presented on the Information Calendar.

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- 16. IC** • Monthly Report on Local Assistance STIP Projects 3.5
Previously Voted but Not Awarded

This Item was presented on the Information Calendar.

- 17. IC** • Traffic Congestion Relief (TCR) Project Pending 4.3b
Allocations – 17 project allocations totaling
\$157,181,000.

This Item was presented on the Information Calendar.

- 18. IC** • Aeronautics Account Pending Allocations – 72 4.3c
project allocations totaling \$5,034,207

This Item was presented on the Information Calendar.

- 19. IC** • Informational Report on Pending Letters of No 4.7
Prejudice (Letter) for Traffic Congestion Relief (TCR)
Program Projects, per Resolution G-03-12. One Letter
for \$590,000. Letter request meets all conditions except
pending STIP allocation or a STIP AB 3090 request.
-- Project #123 – \$590,000 for Phase 4 for Oceanside
Transit Center; parking structure.
Applicant Agency: City of Oceanside

This item was presented on the Information Calendar.

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- 20. IC** • STIP Amendment 02S-106 2.1b.(3)
- Los Angeles County Metropolitan Transportation Authority (LACMTA) is requesting this amendment. LACMTA proposes to combine the Commercial Street Widening project (PPNO 3096) with the Route 101 Freeway and Ramp Realignment project (PPNO 0567P) and name the combined project as "Route 101/Center Street Project" in Los Angeles County. Currently, the City of Los Angeles is the implementing agency for the Commercial Street Widening project (PPNO 3096) and the Department of Transportation (Department) is the implementing agency for the Route 101 Freeway and Ramp Realignment project (PPNO 0567P). This amendment also proposes to increase the scope of the combined project to include the construction of a Metro Gold Line Eastside Light Rail Transit Extension Overpass and to designate the Department as the implementing agency for the combined project. LACMTA will use \$9,011,000 of local funds (Proposition C) for right of way acquisition and proposes to shift \$9,011,000 currently programmed from right of way to construction to fund the additional scope. Total programmed STIP funds remain unchanged. Department concurs with this request. This is a revenue neutral programming action.

This item was presented on the Information Calendar and noticed as required.

- 21. IC** • STIP Amendment 02S-107 2.1b.(4)
- The Colusa Local Transportation Commission (LTC) is requesting this amendment. Colusa County and the Colusa LTC request the Commission approve a replacement project per AB 3090. Colusa County will use local funds to replace \$436,000 in Regional Improvement Program (RIP) funds for Construction in FY 2006-07 for the Highway 99W Rehabilitation project (PPNO 3L81). Colusa County proposes to advance the Highway 99W Rehabilitation project to FY 2003-04 and program a total of \$436,000 in RIP funds in FY 2006-07 for a replacement project (PPNO 3114B) to be identified at a later date. This is a revenue neutral programming action.

This item was presented on the Information Calendar and noticed as required.

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- 22. IC** • STIP Amendment 02S-109 2.1b.(6)
 The Riverside County Transportation Commission (RCTC) is requesting this amendment. RCTC proposes to delete \$1,875,000 in Regional Improvement Program (RIP) funds in FY 2003-04 for construction of the Hobson Way Arterial Improvement project (PPNO 0000C). The \$1,875,000 in RIP funds will revert back to Riverside County's unprogrammed share balance.

This item was presented on the Information Calendar and noticed as required.

- 23. IC** • STIP Amendment 02S-110 2.1b.(7)
 The City of Antioch is requesting this amendment. The City of Antioch requests the Commission approve a replacement project per AB 3090. The City of Antioch will use local funds to replace \$250,000 in Regional Improvement Program (RIP) funds for Environmental (PA&ED) and Design (PS&E) on the Hillcrest Off-Ramp Improvement project (PPNO 2011A). The project is currently programmed with \$50,000 in RIP funds on PA&ED in FY 2002-03 and \$200,000 in RIP funds on PS&E in FY 2004-05. The City of Antioch proposes to complete PA&ED and advance PS&E work using local funds and program a total of \$250,000 in RIP funds in FY 2004-05 for a replacement project (PPNO 2011C) to be identified at a later date. This is a revenue neutral programming action.

This item was presented on the Information Calendar and noticed as required.

- 24. IC** • STIP Amendment 02S-111 2.1b.(8)
 The Orange County Transportation Authority (OCTA) and the Department of Transportation (Department) are requesting this amendment. OCTA and the Department propose to transfer \$9,226,000 in Interregional Improvement Program (IIP) funds from FY 1999-2000 Right-of-Way (R/W) to FY 2004-05 Construction (CON) for the Route 5 High Occupancy Vehicle (HOV) Lane and widening project (PPNO 0978T). A corresponding transfer of local Measure M funds will be moved from FY 2004-05 CON to FY 2003-04 R/W. This is a revenue neutral programming action.

This item was presented on the Information Calendar and noticed as required.

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- 25. IC** • STIP Amendment 02S-113 2.1b.(10)
Los Angeles County Metropolitan Transportation Authority (LACMTA) is requesting this amendment. LACMTA requests the Commission approve eleven replacement projects per AB 3090. LACMTA will use local funds (Proposition C) to replace \$48,652,000 in Regional Improvement Program (RIP) funds for eleven projects in Los Angeles County. LACMTA will program a total of \$48,652,000 in FY 2005-06 for replacement projects to be identified at a later date. This is a revenue neutral programming action.

This item was presented on the Information Calendar and noticed as required.

- 26. IC** • STIP Amendment 02S-116 2.1b.(13)
The San Diego Association of Governments (SANDAG) is requesting this amendment. SANDAG proposes to unprogram \$3,164,000 in Regional Improvement Program (RIP) funds programmed in FY 2003-04 for Construction on two projects: \$1,688,000 for the Regional Rideshare Program project (PPNO 7404), and \$1,476,000 for the Regional Surface Transportation Program (RSTP)/ Congestion Mitigation and Air Quality (CMAQ)/ Transportation Enhancement Activities (TEA) Reserve project (PPNO 7401B). SANDAG proposes to replace the RIP funds with local regional funds in FY 2003-04 and requests that the \$3,164,000 be reverted to San Diego County's unprogrammed share balance for the 2004 STIP.

This item was presented on the Information Calendar and noticed as required.

CONSENT CALENDAR (#27-41)

CC

Chair Lindsey added Item #70 to the Consent Calendar.

Deputy Director Robert Chung noted the changes on the pink handout.

Commissioner McKenna moved to approve the Consent Calendar as presented by Deputy Director Chung. Commissioner Tavaglione seconded the motion, which carried 6-0 (Commissioners Lawrence, Swiller and Torres were absent).

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- 27. CC** • Traffic Congestion Relief (TCR) Application Approvals. Two applications totaling \$1,448,000. Resolution TA-03-03 2.1c.(1)
- Project #74.6 – \$200,000 for Phase 1, for Pacific Surfliner; double track intercity rail line within San Diego County, add maintenance yard in San Diego County – Leucadia Boulevard Grade Separation Project Study Report. Applicant Agency: San Diego Association of Governments (SANDAG) Implementing Agency: City of Encinitas (Related Item under 2.1c.(4).)
- Project #74.7 – \$1,248,000 for Phases 1 and 2, for Pacific Surfliner; double track intercity rail line within San Diego County, add maintenance yard in San Diego County – Encinitas Grade-Separated Pedestrian Crossing(s). Applicant Agency: SANDAG Implementing Agency: City of Encinitas (Related item under 2.1c.(4).)

This item was approved on the Consent Calendar.

- 28. CC** • Traffic Congestion Relief (TCR) Application Amendment Approval. Five application amendments, including one amendment to deprogram (\$21,000,000) in TCR funding. Resolution TAA-03-12, Amending Resolutions TA-01-09, TA-01-11, TA-02-10, TAA-02-10, and TAA-03-02 2.1c.(2)
- Project #31 – Route 580; construct eastbound and west bound HOV lanes from Tassajara Road/Santa Rita Road to Vasco Road in Alameda County. Amend application to designate the Alameda County Congestion Management Agency (ACCMA) as co-applicant agency with the California Department of Transportation (Department), designate ACCMA as the Implementing Agency, and update project schedule. Original TCR application approved under Resolution TA-01-11. The Department and ACCMA are requesting this amendment. (Related item under 2.6e.(1).)
- Project #33 – Bus Transit; acquire low-emission buses for Los Angeles County MTA bus transit service. Amend application to revise project funding plan to reflect increase in project cost. Original TCR application approved under Resolution TA-01-09, as amended by Resolution TAA-02-10. The Los Angeles County Metropolitan Transportation Authority (LACMTA) is requesting this amendment. (Related item under 2.1c.(4).)
- Project #38.1 – Los Angeles-San Fernando Valley Transit Extension; build an East-West Bus Rapid Transit system in the Burbank-Chandler corridor, from North Hollywood to Warner Center. Amend application to update project schedule. Original TCR application approved under Resolution TA-01-01, as amended by

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Resolution TAA-03-02. The LACMTA is requesting this amendment. (Related item under 2.1c.(4).)

-- Project #40 – Route 10; add HOV lanes on San Bernardino Freeway over Kellogg Hill, near Pomona, Route 605 to Route 57 in Los Angeles County. Amend application to update project schedule and funding plan to deprogram (\$21,000,000). Original TCR application approved under Resolution TA-01-09, with additional phases of work approved under Resolution TA-02-10. The Department is requesting this amendment.

(Related items under 2.6e.(1) and 2.2c.(2).)

-- Project #54.1 – Alameda Corridor East; build grade separations on Burlington Northern-Santa Fe and Union Pacific Railroad Line, downtown Los Angeles to Los Angeles county line in Los Angeles County. Amend application to increase the scope of work and update the project funding plan. Original TCR application approved under Resolution TA-01-11, as amended by Resolution TAA-03-02. The Alameda Corridor-East Construction Authority is requesting this amendment.

(Related item under 2.2c.(3).)

This item was approved on the Consent Calendar.

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- 29. CC** • Traffic Congestion Relief (TCR) Letter of No Prejudice (Letter) Approvals. Four Letter requests totaling \$249,448,000. Resolution TL-03-02
- Project #33 – \$150,000,000 for Phase 4, for Bus Transit; acquire low-emission buses for Los Angeles County MTA bus transit service. Applicant Agency: Los Angeles County Metropolitan Transportation Authority (LACMTA) (Related item under 2.1c.(2).)
 - Project #38.1 – \$98,000,000 for Phase 4, for Los Angeles-San Fernando Valley Transit Extension; build an East-West Bus Rapid Transit system in the Burbank-Chandler corridor, from North Hollywood to Warner Center. Applicant Agency: LACMTA (Related item under 2.1c.(2).)
 - Project #74.6 – \$200,000 for Phase 1, for Pacific Surfliner; double track intercity rail line within San Diego County, add maintenance yard in San Diego County – Leucadia Boulevard Grade Separation Project Study Report. Applicant Agency: San Diego Association of Governments (SANDAG) (Related item under 2.1c.(1).)
 - Project #74.7 – \$1,248,000 for Phases 1 and 2, for Pacific Surfliner; double track intercity rail line within San Diego County, add maintenance yard in San Diego County – Encinitas Grade-Separated Pedestrian Crossing(s). Applicant Agency: SANDAG (Related item under 2.1c.(1).)

This item was approved on the Consent Calendar.

- 30. CC** • Approval of Project for Future Consideration of Funding – Route 118 in Ventura County – Construct onramp and off-ramp to complete an interchange in Simi Valley (ND). Resolution E-03-34 2.2c.(1)

This item was approved on the Consent Calendar.

- ~~**31. CC** • Approval of Project for Funding – Route 10 in Los Angeles County – Construct an HOV lane in each direction in Baldwin Park, West Covina, Covina, San Dimas, Pomona and unincorporated Los Angeles County (ND). Resolution E-03-35 2.2c.(2)~~

THIS ITEM WAS WITHDRAWN

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- 32. CC** • Approval of Project for Future Consideration of Funding – Alameda Corridor East – Temple Avenue Grade Crossing Elimination and Train Diversion Project near Los Angeles County line. (Mitigated Negative Declaration, TCRP #54.1). Resolution E-03-36 2.2c.(3)

This item was approved on the Consent Calendar.

- 33. CC** • Two Relinquishment Resolutions 2.3c
 -- 07-LA-105-PM 4.7 Route 105 in the City of Hawthorne
 Resolution R-3558
 -- 08-Riv-215-PM 27.4/34.0 Route 215 in the City of Perris
 Resolution R-3559

This item was approved on the Consent Calendar.

- 34. CC** • One Vacation Resolution 2.3d
 09-Mno-395, 89 -PM 117.0/117.1,0.1 Route 395 in the County of Mono
 Resolution A-855

This item was approved on the Consent Calendar.

- 35. CC** • 14 Resolutions of Necessity 2.4b
 Resolutions C-18848 Through C-18861

This item was approved on the Consent Calendar.

- 36. CC** • Director's Deeds 2.4d
 Items #1 Through #4, Excess Lands – Return to State:
 \$523,800
 Return to Others: \$0

This item was approved on the Consent Calendar.

- ~~**37. CC** • Five Rescinding Resolutions 2.2c.(5)
 Resolutions CR-127 through CR-132~~

THIS ITEM WAS WITHDRAWN

- 38. CC** • Financial Allocation for Five Minor SHOPP Safety 2.5a.(3)
 Projects totaling \$2,874,000 plus \$625,000 from other sources. Resolution FP-03-____

This item was approved on the Consent Calendar.

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- 39. CC** • Traffic Congestion Relief (TCR) Project Allocation Amendment Approval. Two allocation amendments, no net change in TCR funding. Resolution TFP-03-05 2.6e.(1)
- Project #31 – Route 580; construct eastbound and west bound HOV lanes from Tassajara Road/Santa Rita Road to Vasco Road in Alameda County. Transfer previously allocated TCR funds from the California Department of Transportation (Department) to the Alameda County Congestion Management Agency (ACCMA). Project phase(s) originally allocated under delegated authority. Implementing Agency: ACCMA
- Project #40 – Route 10; add HOV lanes on San Bernardino Freeway over Kellogg Hill, near Pomona, Route 605 to Route 57 in Los Angeles County. Redistribute \$175,000 from Phase 2 – Plans, Specifications, and Estimates (PS&E) to Phase 1 – Environmental and Permits and redistribute \$1,328,000 from Phase 2 – PS&E to Phase 3 – Right of Way. Project phase(s) originally allocated under delegated authority. Implementing Agency: Department (Related items under 2.1c.(2) and 2.2c.(2).)

This item was approved on the Consent Calendar.

- 40. CC** • Technical change to Resolution FM-02-05, originally approved on June 26, 2003 in the amount of \$986,519,000 for the FY 2003-2004 Local Assistance Lump Sum Allocation. The Resolution summary sheet is being revised to show the correct funding year. 2.9a

This item was approved on the Consent Calendar.

- 41. CC** • Proposed Annual \$4.25 Million Allocation Set-Aside for the Public Utilities Commission (PUC) Railroad Grade Crossing Protection Maintenance Program for FY 2004-05 Resolution G-03-____ 4.6

This item was approved on the Consent Calendar.

Funding Issues (#42-44)

- 42.** • Timely Use of Funds – Allocation Extension Requests and Funding Constraints 4.9

Deputy Director Stephen Maller reviewed this item and recommended that it be placed on the Commission's Consent Calendar for action at the December meeting.

Regional Agency Moderator, Peter DeHaan, said that this item was discussed at the RTPA meeting and that the group appeared to be happy with it.

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| 43. | <ul style="list-style-type: none"> • 2004 Draft Fund Estimate | 4.4 |
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Chair Lindsey announced that there would only be two fund estimate topics heard at this meeting.

Chief Deputy Director, Joan Borucki, said that the two presentations would be on 1) size of SHOPP assumptions; 2) Intercity Rail Program and the levels of operating support and levels of overhaul of equipment.

Chair Lindsey asked if the presentations would be with or without the 12% reduction.

Mike Evans, Caltrans, Assistant SHOPP Program Manager Maintenance, reviewed the purpose, collision reduction \$244 million per year. Chair Lindsey asked if the \$244 million represented 100% of needs for the collision reduction. Mr. Evans replied in the affirmative.

Mr. Evans reviewed the Bridge Preservation program saying that it will need \$274 million per year, and that the Department has given this category high priority, more than in the past. Commissioner Lawrence asked if the Antlers Bridge was included in the \$274 million. Mr. Evans responded that there are still studies being conducted for the Antlers Bridge.

Commissioner McKenna asked about federal funds for these projects. Chief Deputy Director, Joan Borucki, said that the \$274 million includes the federal funds.

Mr. Evans reviewed the Roadway Preservation \$410.5 million per year; Mobility at \$86.1 million per year; Roadside Rehabilitation at \$31 million per year.

Mr. Evans reviewed the Safety Rest Area Restoration at \$19.1 million per year. Commissioner McKenna suggested that the Commission look at the privatization of Roadside Rest areas. Commissioners McKenna and Ghielmetti suggested that they would like to pursue the topic with the department.

Mr. Evans reviewed Facilities at \$45.2 million per year. Commissioner Hallisey asked the number of maintenance and equipment facilities. Mr. Evans said that there are 310 maintenance stations and 60 equipment shops. Commissioner Hallisey would like to know the number that are normally rehabilitated each year and asked that the Department provide him with some history on that number.

Mr. Evans reviewed Emergency Preservation and other mandated work at \$71.5 million per year and reviewed 2004 SHOPP Summary for the next four-years. Commissioner Lawrence asked what the amount of the cut was for roadway preservation. Mr. Evans said that in the past it had been 60% of the SHOPP and now it's only 35%. Commissioner Ghielmetti asked the Department to look at bridge preservation. Commissioner Ghielmetti said that if they can get another 200 million to put toward bridge preservation that'd be good.

Chair Lindsey wants a meeting with Caltrans and Commissioners Ghielmetti and McKenna regarding public and private partnerships for roadside rests.

Mr. Garcia, Caltrans, responded that what is identified in the report is a minimum and that it's not safe to go any lower than what's been shown. Ms. Borucki reminded everyone that the Commission recommended that 85% of the funding be spent in the top four priorities. Mr. Evans said that the State Highway System is the backbone of the economy of the State and that they're only spending about 1 cent per mile that we have on the system. The longer we wait to do work the more expensive it'll get.

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Warren Webber, Caltrans Division of Rail, reviewed the Intercity Rail Program saying that support is remaining constant, rebuilding program now I need of overhaul \$32 million for 3 ½ year contract with Seimans for overhaul. Mr. Webber's staff prepared a BCP for the Legislative Analyst, which is now at DOF to increase 10.2 to 13. Chair Lindsey asked why that need supercedes other needs that it doesn't seem that Mr. Webber's needs are able to compete with the STIP for PTA funds. Deputy Director David Brewer said that the process is different but that eventually it does affect the STIP.

Mr. Webber said that the fund needs does drop over the next 5-years. Chair Lindsey asked why heavy maintenance is not included as part of the farebox recovery ratio. Mr. Webber responded that the work is heavy overhaul and is not part of the routine maintenance. Chair Lindsey said that the increase in operations funding should count against farebox. Mr. Webber said that the methodology is consistent with transit projects throughout the country.

Commissioner McKenna moved to receive the reports. Chief Deputy Director Joan Borucki asked that the Commission give direction to the Department on the intercity rail numbers to include in the fund estimate.

Commissioner McKenna moved to use the numbers presented at this meeting and include it in the fund estimate, also, look at other public/private partnerships and other funds that may be available. Commissioner Lawrence seconded the motion, which carried 7-0 (Commissioners Swiller and Torres were absent).

ACTION: Jim Nicholas – Prepare a letter to the Chair and Commissioners explaining how the cost and schedule of the Antlers Bridge rehabilitation project fits into the SHOPP.

Jim Nicholas – Provide average historical information to match each category of SHOPP as presented at the Commission meeting.

Diane Eidam - Set up a meeting with the Department and Commissioners Jim Ghielmetti and Dianne McKenna to investigate private partnerships and roadside rest revenues going back into rest stop maintenance.

Warren Weber – Prepare a letter to the Commission comparing what the state-supported intercity farebox ratio would be for each corridor, if it included the total amortized capital cost for track and signal work, major maintenance and major rehabilitation, as well as marketing and operations, when calculating the ratio of fare revenues to total expenditures for operations over the last five fiscal years.

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44. • 2004 Draft STIP Guidelines 4.5

Deputy Director David Brewer presented the Draft 2004 STIP Guidelines in two parts. The first part was a complete draft of the current guidelines with underlining and strikeout, that had been shared with the RTPA group in September. The other part was a set of draft policies and procedures that are particular to the 2004 STIP cycle. The following persons spoke to the Commission regarding the guidelines:

- Regional Agency Moderator Peter DeHaan, who said that there was extensive discussion regarding the Guidelines at the RTPA meeting, particularly regarding the \$100,000 minimum amount for a project component. He agreed that it would be nice to avoid small STIP allocations; though it may be an issue for some counties.
- Rural Counties Task Force Vice Chair Kathleen Matthews, who agreed that the \$100,000 allocation amount is an issue.
- Martin Byrne, Plumas County Transportation Commission, who encouraged more discussion regarding the \$100,000 minimum allocation.
- Darrell Hook, city engineer for Etna and Fort Jones, who expressed his concern regarding the \$100,000 minimum

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| | <u>Highway Right of Way Matters (#45)</u> | 2.4 |
| 45. | • One Resolution of Necessity – Appearance | 2.4a |
| | Henry F. Bocchini Jr., et ux. | |
| | 06-Fre-180-KP 102-3 | |
| | Resolution C-18847 | |

THIS ITEM WAS WITHDRAWN BY THE DEPARTMENT PRIOR TO THE COMMISSION MEETING

	<u>Item Description</u>	<u>Ref. #</u>
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|-----|---|-----|
| | <u>Project Business Matters (#46-73)</u> | 2. |
| 46. | • Policy on AB 3090 Cash Reimbursements and GARVEE Debt Service | 4.2 |

Deputy Director David Brewer discussed this item and the background state and federal law for GARVEE bonding. He noted that there was only one GARVEE project programmed for GARVEE bonding in the 2002 STIP and that there have been 2 STIP amendments for additional projects this year. Current cash problems have intensified interest to GARVEE bonding to finance STIP and SHOPP projects. The issue for the Commission is how and where GARVEE bonding should be used, as opposed to pay-as-you-go, and what criteria should be used to select which STIP and SHOPP projects should be financed through bonding.

David Brewer noted that, in the last month, staff has met with representatives of the state's GARVEE bond underwriters and bond counsel and has recognized additional issues related to achieving high investment grade ratings for the bonds. Mr. Brewer then reviewed a proposed policy for GARVEE bonding, including (1) criteria for types of projects, including a minimum project size of \$50 million or 80% of the county share; (2) a long-term policy to limit annual GARVEE debt service to 15% of Federal revenue; and (3) interim targets for bonding over time.

Kimberley Quinones, Citigroup Global Markets, Inc., Los Angeles, introduced several people from the Citigroup organization.

Ronald Marino, Citigroup Global Markets Inc., New York gave a short presentation on GARVEE bonding and said that this is the first time that Citigroup is entering into the debt program for transportation in California. Mr. Marino discussed the other states that are currently using GARVEEs, and discussed the bond rating system. A higher rating would mean lower interest costs. Mr. Marino then reviewed the GARVEE credit structure, the program goals, and the credit perspective for GARVEEs.

David Brewer closed with a discussion of the AB 3090 cash reimbursement policy that was adopted last spring and status of commitments made to date.

- | | | |
|-----|--|------|
| | <u>Program Amendments/Project Approvals – STIP/SHOPP Amendments (47-53)</u> | 2.1b |
| 47. | • SHOPP Amendment to use GARVEE Bonds for one project in Placer County for \$56,000,000. | 3.4 |

Jim Nicholas, Caltrans, reviewed the project on I-80. The Department will ask for approval in December. Mr. Nicholas mentioned that the \$800 million in the SHOPP and that this project for \$56 million is in the Plan.

Chair Lindsey asked why this is needed. Mr. Nicholas responded that if the project receives approval in December it will be ready to advertise in the spring. Chair Lindsey said that the Department can't have both. Bob Garcia, Caltrans, said that they would get \$50 million less federal dollars per month. Chair Lindsey said that the project would be looked at in December and Mr. Nicholas responded that it's an option to look at.

48. • STIP Amendment 02S-105
Los Angeles County Metropolitan Transportation Authority (LACMTA) is requesting this amendment. LACMTA proposes that the Commission approve seventeen projects (sixteen current STIP and one new) for Grant Anticipation Revenue Vehicle (GARVEE) funding to advance project delivery. The current STIP projects will be reprogrammed and the new project (PPNO 0391A) will be programmed, as GARVEE debt service projects with this amendment. Reprogrammed Regional Improvement Program (RIP) and Interregional Improvement Program (IIP) funds on these projects along with a commitment from LACMTA for future county shares will be used to pay the debt service for the bond. The bond proceeds will fund Right of Way and Construction for these projects starting in FY 2003-04.

Lancaster Mayor Frank Roberts, reviewed the AB 3090 project under Item 25 then reviewed the GARVEE projects under Item 48 and asked the Commission for support.

- Deputy Director David Brewer reviewed the Item and recommended that it come back at the December 2003 meeting for action in light of the GARVEE/AB 3090 pending policy being developed.

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50. STIP Amendment 02S-108 2.1b.(5)
The Mono County Local Transportation Commission (LTC) is requesting this amendment. Mono County LTC requests the Commission approve a reimbursement project per AB 3090. The Town of Mammoth Lakes will use local funds to replace \$595,000 in Regional Improvement Program (RIP) funds in FY 2003-04 for Construction on the Old Mammoth Road Rehabilitation project (PPNO 2507). The Town of Mammoth Lakes proposes to use \$595,000 of local funds to advance the construction now for later RIP reimbursement (PPNO 2515) in FY 2006-07. This is a revenue neutral programming action.

Deputy Director David Brewer reviewed the Item and recommended that it come back at the December 2003 meeting for action in light of the GARVEE/AB 3090 pending policy being developed.

51. • STIP Amendment 02S-112 2.1b.(9)
The San Diego Metropolitan Transit Development Board (MTDB) is requesting this amendment. The San Diego MTDB requests the Commission approve a reimbursement project per AB 3090. In August 2002, the Commission allocated \$800,000 in Regional Improvement Program (RIP) funds programmed for the Automated Fare Technology project (PPNO 0978) in FY 2002-03, acknowledging that San Diego MTDB would, upon that allocation, enter into a contract for the entire amount programmed in the 2002 STIP. The project is currently programmed with \$7,000,000 in RIP funds in FY 2003-04, \$11,000,000 in RIP funds in FY 2004-05 and \$1,500,000 in RIP funds in FY 2005-06, for a total of \$19,500,000 in RIP funding. Due to the current STIP funding shortfall, San Diego MTDB has financed the state share for the on-going contracts in order to maintain the current project schedules. San Diego MTDB proposes to replace the \$19,500,000 for Design and Construction with local funds now, with later reimbursement (PPNO 0978A) in FY 2006-07. This is a revenue neutral programming action.

Deputy Director David Brewer reviewed the Item and recommended that it come back at the December 2003 meeting for action in light of the GARVEE/AB 3090 pending policy being developed.

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52. • STIP Amendment 02S-114 2.1b.(11)
 The Tulare County Association of Governments (TCAG) is requesting this amendment. TCAG requests the Commission approve two reimbursement projects per AB 3090. The County of Tulare will use local funds to replace \$750,000 in Regional Improvement Program (RIP) funds in FY 2002-03 for Environmental on the Widen County Road 108 (PPNO 0101) and Goshen to El Monte Way (Road 80) (PPNO 6L11) projects for later reimbursement (PPNO D003 and D004) in FY 2005-06. This is a revenue neutral programming action.

Deputy Director David Brewer reviewed the Item and recommended that it come back at the December 2003 meeting for action in light of the GARVEE/AB 3090 pending policy being developed.

53. • STIP Amendment 02S-115 2.1b.(12)
 The Placer County Transportation Planning Agency (PCTPA) is requesting this amendment. The PCTPA and the City of Rocklin request the Commission approve a reimbursement project per AB 3090. The City of Rocklin will use local funds to replace currently programmed Regional Improvement Program (RIP) and Interregional Improvement Program (IIP) funds for the Sierra College Boulevard Interchange Reconstruction project (PPNO 0151D). The City of Rocklin proposes to advance construction using local funds and program a total of \$7,432,000 RIP and \$11,000,000 IIP funds for later reimbursement in FY 2006-07. This is a revenue neutral programming action.

Deputy Director David Brewer reviewed the Item and recommended that it come back at the December 2003 meeting for action in light of the GARVEE/AB 3090 pending policy being developed.

Traffic Congestion Relief (TCR) Program Application Approvals/Allocations/Amendments/ (#54-55)

54. ~~• Traffic Congestion Relief (TCR) Application Amendment Approval. Three application amendments, including one amendment to deprogram (\$2,078,000) of TCR funds, per Resolution G-03-14, Traffic Congestion Relief (TCR) Program Policy for Managing Cash Between TCR Projects. Resolution TAA-03-13, Amending Resolutions TA-01-07, TA-01-09 and TAA-03-02~~ 2.1c.(5)
~~-- Project #94 -- Route 43; widen to four-lane expressway from Kings County line to Route 99 in Selma in Fresno County - \$5,000,000. In accordance with guidelines established under Resolution G-03-14, suspend project and deprogram (\$2,078,000) of TCR funds from original application approval of \$2,600,000 for Phase 1 Environmental and Permits. Original TCR application approved under Resolution TA-01-07. The California Department of Transportation is requesting this change. (Related item under 2.6e.(2).)~~
~~-- Project #97.1 -- Operational improvements on Shaw~~

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~~Avenue, Chestnut Avenue, Willow Avenue, and Barstow Avenue near California State University at Fresno in Fresno County — Operational improvements in City of Clovis. Amend application to revise project scope, schedule and funding plan, and transfer partial project scope and (\$250,000) in programmed funding to TCRP Sub-project #97.2. Original TCR application approved under Resolution TA-01-09. The California State University, Fresno and the City of Clovis are requesting this change.~~

~~-- Project #97.2 — Operational improvements on Shaw Avenue, Chestnut Avenue, Willow Avenue, and Barstow Avenue near California State University at Fresno in Fresno County — Operational improvements in City of Fresno. Amend application to revise project scope, update schedule and funding plan, and receive transfer of partial project scope and \$250,000 in programmed funding from TCRP Sub-project #97.1. Original TCR application approved under Resolution TA-01-09, as amended by Resolution TAA-03-02. The California State University, Fresno and the City of Fresno are requesting this change. (Related item under 2.6e.(2).)~~

THIS ITEM WAS WITHDRAWN PRIOR TO THE COMMISSION MEETING

- 55.— • Traffic Congestion Relief (TCR) Project Allocation Amendment Approval. Two allocation amendments with a net change of (\$1,564,000) in TCR funding, per Resolution G-03-14 — Traffic Congestion Relief (TCR) Program Policy for Managing Cash Between TCR Projects. Resolution TFP-03-06 2.6e.(2)
- ~~-- (\$2,078,000) — Project #94 — Route 43; widen to four-lane expressway from Kings County line to Route 99 in Selma in Fresno County. De-allocate (\$2,078,000) of TCRP funds from Phase 1 — Environmental and Permits to be made available for allocation to TCRP Sub-project #97.2. Project phase(s) originally allocated under delegated authority. Implementing Agency: California Department of Transportation~~
- ~~-- \$514,000 — Project #97.2 — Operational improvements on Shaw Avenue, Chestnut Avenue, Willow Avenue, and Barstow Avenue near California State University at Fresno in Fresno County — Operational improvements in City of Fresno. Allocate a total of \$514,000 for Phase 3 — Right of Way from TCRP Project #94. Implementing Agency: City of Fresno (Related item under 2.1c.(5).)~~

THIS ITEM WITHDRAWN PRIOR TO THE COMMISSION MEETING

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Financial Allocations (#56-73)

56. • Financial Allocation for Five Minor Projects totaling 2.5a.(1)
\$2,016,000.
Resolution FP-03-____

Deputy Director Stephen Maller reviewed Items 56 through 67 (Item #62 was withdrawn) and recommended moving Items 56 through 67 (excluding Item 62) to the pending allocation list.

Ray Waller, City of Etna, requested the Commission allocate \$181,000 to the City's Callaghan Street project (Project #2 under agenda item 63). Deputy Director David Brewer indicated all the projects on the pending allocation list will be reassessed during the 2004 STIP cycle and that the new fund estimate will define what funds, if any, will be available and when.

Commissioner Balgenorth moved to move Items 56 through 67, except Item 62, to the pending allocation list. Commissioner Hallisey seconded the motion, which carried 6-0 (Commissioners Lawrence, Swiller and Torres were absent).

57. • Financial Allocation for One Minor Project not on the 2.5a.(1.1)
proposed FY-03-04 SHOPP Allocation Plan for \$750,000.

This Item was heard under Item 56.

58. • Financial Allocation for Two Minor SHOPP Projects 2.5a.(2)
totaling \$730,000.
Resolution FP-03-____

This Item was heard under Item 56.

59. • Financial Allocation for Two STIP Projects On the State 2.5b.(1)
Highway System totaling \$5,900,000.
Resolution FP-03-____

This Item was heard under Item 56.

60. • Financial Allocation for eight SHOPP Projects on the 2.5b.(2)
Proposed FY-03-04 SHOPP Allocation Plan totaling
\$49,761,000.
Resolution FP-03-____

This Item was heard under Item 56.

61. • Two SHOPP Projects not on the Proposed FY-03-04 2.5b.(6)
SHOPP Allocation Plan totaling \$2,258,000.

This Item was heard under Item 56.

- ~~62. • Financial Allocation for One SHOPP Safety Project 2.5b.(3)
Amended into the SHOPP by Departmental Action for
\$1,990,000.
Resolution FP-03-____~~

THIS ITEM WAS WITHDRAWN UNDER ITEM 56.

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63. • Financial Allocation for Seven Local Assistance STIP Projects Off the State Highway System totaling \$13,180,000.
Resolution FP-03-____ 2.5c.(1)

This Item was heard under Item 56.

64. • Financial Allocation for One Local Assistance STIP Project in Tulare County for Road Pavement Rehabilitation for \$904,000.
Resolution FP-03-____ 2.5c.(5)

This Item was heard under Item 56.

65. • Financial Allocation for Two Local Assistance STIP Projects for RSTP/CMAQ Match Reserve totaling \$53,000.
Resolution FP-03-____ 2.5c.(7)

This Item was heard under Item 56.

66. • Financial Allocation for Two Local Assistance STIP Projects for Planning, Programming and Monitoring totaling \$3,770,000.
Resolution FP-03-____ 2.5c.(8)

This Item was heard under Item 56.

67. • Financial Allocation for one STIP Rail/Transit Project in Humboldt County for \$692,000.
Resolution MFP-03-____ 2.6a.(1)

This Item was heard under Item 56.

68. • Highway/Rail and Transit Pending Allocations – 385 project allocations totaling \$646,962,132. 4.3a

Deputy Director Stephen Maller reviewed the pending allocation list projects and recommended the Commission allocate \$5.3 million in federal transportation enhancement funds to 6 SHOPP managed TEA projects (page 18 & 19, project # 1-6) and 4 Statewide TE projects (page 28 & 29, projects # 1-4). Mr. Maller also recommended that the Commission remove from the list and lapse a \$3 million Monterey County project (page 11, project #5) per Monterey's request.

Tom Tracy, Modoc County Transportation Commission, requested the Commission allocate \$130,000 for a Modoc County bridge replacement project (page 24, project #30). Patricia Cantrall, Modoc County Supervisor, spoke in support of the bridge allocation.

Commissioner McKenna moved to allocate the 10 federal TE funded projects and to remove the one Monterey County project. Commissioner Balgenorth seconded the motion, which carried 6-0 (Commissioners Lawrence, Swiller and Torres were absent).

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69. • Financial Allocation for Supplemental Funds for Previously Voted Projects. Two Projects totaling \$2,301,000. Resolution FA-03-03 2.5e
- 03-Sut-99 – SHOPP Project in Sutter County. Original vote is \$10,710,000. Award amount is \$11,560,000. Current allocation is \$11,980,000. This request for \$852,000 to closeout the construction contract results in an increase of 20% over the vote amount.
- 06-Fre-99 – SHOPP Project in Fresno County. Original vote is \$16,563,000. Award amount for Cone Engineering is \$22,850,000. Current allocation is \$22,850,000. This request for \$1,449,000 to complete the construction contract results in an increase of 47% over the vote amount.

Jim Nicholas, Caltrans, reviewed the Item and requested \$2.3 million in supplemental funds for the two SHOPP projects.

Chair Lindsey indicated the Commission would act on each project individually.

Commissioner Balgenorth moved to allocate \$852,000 to closeout the construction contract on the Sutter 99 SHOPP project. Commissioner McKenna seconded the motion, which carried 5-0 (Commissioners Lawrence, Swiller, Tavaglione and Torres were absent).

Chair Lindsey requested the Department provide information on the bankruptcy settlement agreement involving Cone Engineering construction contracts and Cone's bonding company.

Todd Van Santen, Caltrans Legal, explained that Cone Engineering the contractor on the Fresno 99 project was unable to finish the job and filed for bankruptcy. Cone constructed several other highway projects for the Department and had outstanding claims against the Department. Mr. Van Santen indicated the Department based on economic factors settled its dispute with Cone Engineering and as part of the settlement the construction contract for the Fresno 99 project was accepted and the bonding company released from its obligation to complete the project. Commissioner Balgenorth stated that it sets a bad precedent to let a bonding company off when a contractor went bankrupt and did not complete a project. Mr. Van Santen agreed, but reiterated the Department based its settlement decision on economic factors.

Commissioner Tavaglione moved to allocate \$1,499,000 in supplemental funds for the Fresno 99 SHOPP project. Commissioner McKenna seconded the motion, which failed with a 2-4 vote by the following: Commissioners Tavaglione and McKenna voted yes; Commissioners Ghielmetti, Lindsey, Balgenorth, and Hallisey voted no. Commissioners Lawrence, Swiller and Torres were absent.

70. • Financial Allocation Adjustment for Fiscal Year 2002-03 2.5g
Local Assistance Lump Sum Allocation.
Resolution FP-03-____

THIS ITEM WAS ADDED TO AND APPROVED ON THE CONSENT CALENDAR

	<u>Item Description</u>	<u>Ref. #</u>
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71. • Request to Extend the Period of Contract Award for one City of Los Angeles – Transit Hub Project for \$480,000.
Waiver-03-25

2.8b

Deputy Director Stephen Maller reviewed Items 71, 72 and 73 and recommended approval.

Commissioner McKenna moved to approve Items 71, 72 and 73. Commissioner Hallisey seconded the motion, which carried 6-0 (Commissioners Lawrence, Swiller and Torres were absent).

72. • Request to Extend the Period of Project Completion for one Intercity Rail - Van Nuys Transportation Center Parking Facility Project for \$1,600,000.
Waiver-03-26

2.8c

This item was heard under Item 71.

73. • Request to Extend the Period of Project Completion for one Sacramento Regional Transit District – Light Rail Vehicle Acquisition Project for \$29,568,000.
Waiver-03-27

2.8e

This item was heard under Item 71.

74. **POLICY MATTERS (#74)**
State Legislative Matters *

4.
4.1

*The Commission may consider bills or resolutions newly introduced, recently amended, or calendared for Legislative committee or floor action, subsequent to publication of this agenda. For further information, call Chief Deputy Director Joan Borucki at (916) 653-3148.

Chief Deputy Director Joan Borucki reviewed Legislative items and asked that Chair Lindsey be authorized to sign a letter to Congress regarding the issue of the lower ethanol tax.

Commissioner McKenna moved to send the letter to Congress. Commissioner Ghielmetti seconded the motion, which carried 6-0 (Commissioners Lawrence, Swiller and Torres were absent).

OTHER MATTERS / PUBLIC COMMENT

6.

None.

ADJOURN

There being no further business, the meeting adjourned at 3:35 p.m.

Diane C. Eidam, Executive Director

STATUS OF ACTION ITEMS

From

October 30, 2003 Commission Meeting

3 (1.3) Joan Borucki – Prepare a letter for Chair Lindsey’s signature supporting the naming of the Highway 85 and 101 interchange in San Jose in honor of Mike Evanhoe.

. **This has been done.**

6 (1.6) Bob Garcia – Provide details of where cuts are being made and the decision process used in determining staff reductions at Caltrans.

. **This has been done.**

7 (3.1) Bob Garcia – Provide information on the anticipated close out dates for the Phase I and Phase II Seismic Retrofit Programs.

. **This will be done.**

7 (3.1) Bob Garcia – Provide encumbrance and expenditure information for the Toll Bridge Seismic Retrofit Program.

. **This will be done.**

7 (3.1) Bob Garcia – Provide a 24-month SHA Cash Forecast with the remaining \$800 million of FY03-04 SHOPP voted as delivered beginning in December.

. **This will be done.**

43 (4.4) Jim Nicholas – Prepare a letter to the Chair and Commissioners explaining how the cost and schedule of the Antlers Bridge rehabilitation project fits into the SHOPP.

. **This will be done.**

43 (4.4) Jim Nicholas – Provide average historical information to match each category of SHOPP as presented at the Commission meeting.

. **This will be done.**

43 (4.4) Diane Eidam - Set up a meeting with the Department and Commissioners Jim Ghielmetti and Dianne McKenna to investigate private partnerships and roadside rest revenues going back into rest stop maintenance.

. **This will be done.**

43 (4.4) Warren Weber – Prepare a letter to the Commission comparing what the state-supported intercity farebox ratio would be for each corridor, if it included the total amortized capital cost for track and signal work, major maintenance and major rehabilitation, as well as marketing and operations, when calculating the ratio of fare revenues to total expenditures for operations over the last five fiscal years.

. **This will be done.**